

I ask unanimous consent that the bill be printed in the RECORD at this point, together with the letter from the President dated February 24, 1970, to the Vice President.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 3544) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations and provide for the uniform compensation of Assistant Directors, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3544

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 49(a) of the Arms Control and Disarmament Act, as amended (22 USC 2589(a)), is amended by inserting immediately after "\$18,500,000", the following: ", and for the two fiscal years 1971 and 1972, the sum of \$17,500,000."

(b) Section 24 of such Act (22 USC 2564) is amended by inserting at the end thereof the following provision: "If an Assistant Director is an officer of the armed forces serving on active duty, he shall receive, in addition to his military pay and allowances (including special and incentive pays) for which the Agency shall reimburse his service, an amount equal to the difference between such military pay and allowances and any higher compensation established for the position of Assistant Director."

The letter, presented by Mr. FULBRIGHT, is as follows:

THE WHITE HOUSE,
Washington, February 24, 1970.
HON. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Shortly after taking office I stated that the tasks of the Arms Control and Disarmament Agency were to be among the most important of my Administration, and today I want to reaffirm my conviction that no task of our Government is more important. Intelligently directed arms control and disarmament efforts are not only an important element of our foreign policy, but are also essential to our national security.

Perhaps most dramatically in the strategic arms field, carefully designed arms control arrangements offer the prospect of halting an arms race that could both drain the resources and decrease the relative security of all participants. Surely the quest for reliable ways of avoiding such an arms race deserves the very best we can muster in the way of brains, experience, knowledge, negotiating skill and support.

It is my conviction that the Arms Control and Disarmament Agency can do much to meet these requirements and to enhance the prospects of success in the strategic arms limitation talks, for which I have chosen the Director of the Agency as head of the U.S. Delegation.

Accordingly, I am forwarding herewith draft legislation to authorize appropriations for the Arms Control and Disarmament Agency for another two years—which is the same length of time as the prior authorization. I urge you to give this bill your prompt and favorable consideration.

Sincerely,

RICHARD NIXON.

CAMPAIGN TO JAIL SOUTH VIETNAM OPPOSITION LEADER TRAN NGOC CHAU

Mr. FULBRIGHT. Mr. President, among the many innovative ideas which we have exported to South Vietnam are "pacification," "neutralization," and western-style political institution. I am continually impressed by the ease with which the Vietnamese adapt themselves to such alien concepts. It is true, of course, that they have had a great deal of practice at this as a result of their experience at the hands of the Chinese, the French, and now the Americans.

In recent weeks the Foreign Relations Committee has heard American advisers recount with pride the accomplishments of their Vietnamese pupils.

Occasionally, however, one does get an uneasy feeling that the Vietnamese may be a step or two ahead of their tutors. Vietnamese judicial practices are a case in point.

In 1967 it was discovered that the Vietnamese needed a constitution. Naturally we showed them how to write one which provided everything we thought necessary—a President and Vice President, elective legislature, independent judiciary, due process, and so forth. These institutions have flourished and—with a certain amount of prodding from us—we are now told that the Vietnamese are so devoted to them that it is our duty to insure their survival.

Lately, however, the Vietnamese constitution has become something of a burden to President Thieu in his campaign to bind the affection of the Vietnamese people to his regime. He has proven himself equal to the challenge, a fact which is not really surprising since he is, as we have been told, one of the four or five greatest politicians in the world. Certainly no one can deny that title to Thieu after what we have witnessed of his determined campaign to jail the prominent opposition leader Tran Ngoc Chau.

With the consent of the Senate, I will insert in the RECORD an account from the Washington Post of March 3, of recent proceedings in the Chau case. After reading it I believe you will agree with me that the Vietnamese President and Government has nothing further to learn from the Americans concerning the administration of justice.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, March 3, 1970]
LAWYERS QUIT AT RETRIAL OF SAIGON DEPUTY

SAIGON, March 2.—Three lawyers defending Deputy Tran Ngoc Chau before a South Vietnamese military court resigned from the case after the first day of Chau's second trial, saying their efforts could have no effect on the verdict.

One of the three, an attractive woman who is also vice president of the Vietnamese Senate, said the verdict was "prefabricated." The defendant agreed with this judgment and welcomed his lawyers' decision to give up the case.

They resigned before the trial had reached substantive questions of the charges against Chau. Today's court session were devoted mostly to procedural issues and motions by

the defense, all of which were rejected by the army lieutenant colonel running the court.

Chau, a member of the Vietnamese House who is charged with helping the Communists, appeared at the trial wearing peasant's black pajamas and sandals. There were adhesive bandages on the front and back of his neck, and a large swelling was clearly visible on the back. Chau's lawyers said he suffered cuts and bruises while being arrested last week.

He was taken into custody after his first trial, which was conducted in his absence. Chau was found guilty by a similar five-man military court on that occasion and sentenced to 20 years at hard labor. Under Vietnamese law, sentences passed in absentia are unenforceable so Chau was entitled to the second trial that began this morning.

In the afternoon the government announced a completely new basis for its case against Chau. Previously, it had based its prosecution on a petition supposedly signed by 102 of Chau's House colleagues—exactly three-fourths of them—authorizing prosecution of Chau on the charge of helping the Communists.

PETITION DISPUTED

Chau and his lawyers have disputed the legality of that petition, saying he could be stripped of his congressional immunity only by a floor vote in which three-fourths of the members voted against him. This issue is now before the Supreme Court.

But today the government said it was prosecuting Chau because he had been caught "in flagrante delicto"—in the act of helping the Communists. The Vietnamese constitution says congressional immunity is invalid when a National Assemblyman is so caught.

The charge against Chau is based on eight confessed meetings he had with his brother, a North Vietnamese spy. Defense attorneys noted today that he was not accused of any crime for months after the last of those meetings. They asked how this could be reconciled with the government's new charge that he was caught red-handed.

There was no official explanation of why the government worked so long and so hard to get 102 House members to sign the petition if it was not needed in the first place.

DEFENSE MOTION

The most important defense motion today was that the government had arrested and charged Chau illegally, because the petition signed by House members was unconstitutional. The court rejected this by introducing the "caught red-handed" argument.

The defense also argued that the military court itself was unconstitutional, because all "special" courts were supposed to have been abolished last September under explicit guidelines in the constitution. The court replied that the constitution could not abolish it—only a presidential decree could.

One of Chau's lawyers asked that U.S. officials, including Ambassador Ellsworth Bunker, be called as witnesses in the case. Chau has said he kept important Americans informed of all his contacts with his brother, which began in 1965. The court ruled that American officials had no part to play in a trial involving Vietnamese national security.

At one point Mrs. Nguyen Phuoc Dal, Chau's woman lawyer, wept as she protested the court's disregard for democratic procedures. The chief judge asked her not to bring emotion into the courtroom.

[The trial reconvened Tuesday morning, and Chau was represented by a new lawyer appointed by Saigon's bar association. The new attorney asked for a 15-day postponement to study the case, but the judge said he could postpone the trial only until Wednesday morning. If this was not enough time for him to study the dossier, the lawyer

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Mr. COTTON. What does the Senator mean? The conference report has been agreed to.

Mr. MANSFIELD. The Senator requested that the Senate reconsider the vote by which the conference report was agreed to.

The PRESIDING OFFICER. The reconsideration was agreed to. Now, the question is on the motion.

Is there a sufficient second for the yeas and nays?

There is not a sufficient second.

There is now a sufficient second.

The yeas and nays have been ordered and the clerk will call the roll.

Mr. MAGNUSON. Mr. President, before the clerk calls the roll, because we did not anticipate there would be a roll-call vote on this question this morning I would like to suggest the absence of a quorum to give the Senators a little time to get to the Chamber.

Mr. COTTON. Mr. President, this is debatable. I made no remarks whatever at the time the chairman was making his. I would like 3 or 4 minutes.

The PRESIDING OFFICER. The clerk will call the roll for a quorum call.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the adoption of the conference report.

Mr. COTTON. Mr. President, we cannot hear what is going on.

The PRESIDING OFFICER. The majority leader asked that the order for the quorum call be rescinded. The question now is—

Mr. COTTON. I object to the rescinding of the order for the quorum call.

The PRESIDING OFFICER. It has already been ordered to be rescinded.

Mr. COTTON. Then I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. COTTON. Mr. President, reserving the right to object, a parliamentary inquiry.

The PRESIDING OFFICER. A Senator cannot reserve the right to object on a quorum call.

Mr. FULBRIGHT. I will ask for it myself.

Mr. COTTON. I want to know if we will have a rollcall without intervening business.

Mr. FULBRIGHT. I am just going to make a statement and make some insertions.

The PRESIDING OFFICER. Is there objection to rescinding the order for the quorum call? Without objection, the order is rescinded.

S. 3543—INTRODUCTION OF A BILL TO PROVIDE FOR A U.S. CONTRIBUTION TO THE SPECIAL FUNDS OF THE ASIAN DEVELOPMENT BANK

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to provide for a U.S. contribution to the special funds of the Asian Development Bank, and for other purposes.

This bill has been requested by the President of the United States and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD, as requested.

The bill (S. 3543) to provide for a U.S. contribution to the Special Funds of the Asian Development Bank, and for other purposes, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3543

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Asian Development Bank Act is amended by adding at the end thereof the following new sections:

"Sec. 12. (a) Subject to the provisions of this Act, the United States Governor of the Asian Development Bank (hereinafter the Bank) is authorized to enter into an agreement with the Bank providing for a United States contribution of \$100,000,000 to the Bank in three annual installments of \$25,000,000, \$35,000,000, and \$40,000,000, beginning in fiscal year 1970. (Such contribution is hereinafter referred to as the 'United States Special Resources.')

"(b) The United States Special Resources shall be made available to the Bank pursuant to the provisions of this Act and Article 19 of the Articles of Agreement of the Bank, and in a manner consistent with the Bank's Special Funds Rules and Regulations.

"Sec. 13. (a) The United States special resources shall be used to finance specific high priority development projects and programs in developing member countries of the Bank with emphasis on such projects and programs in the Southeast Asia region.

"(b) The United States special resources shall be used by the Bank only for—

"(i) making development loans on terms which may be more flexible and bear less heavily on the balance of payments than those established by the Bank for its ordinary operations; and

"(ii) providing technical assistance credits on a reimbursable basis.

"(c) (i) United States special resources shall be expended by the Bank for procurement in the United States of goods produced in, or services supplied from, the United States: *Provided, however, That the United States Governor, in consultation with the National*

Advisory Council on International Monetary and Financial Policies, may allow eligibility for procurement in other member countries from the United States special resources if he determines that such procurement eligibility would materially improve the ability of the Bank to carry out the objectives of its special funds resources and would be compatible with the international financial position of the United States.

"(ii) The United States special resources may be used to pay for administrative expenses arising from the use of the United States special resources, but only to the extent such expenses are not covered from the Bank's service fee or income from use of United States special resources.

"(d) All financing of programs and projects by the Bank from the United States special resources shall be repayable to the Bank by the borrowers in United States dollars.

"Sec. 14. (a) The letters of credit provided for in section 15 shall be issued to the Bank only to the extent that at the time of issuance the cumulative amount of the United States special resources provided to the Bank (i) constitute a minority of all special funds contributions to the Bank, and (ii) are no greater than the largest cumulative contribution of any other single country contributing to the special funds of the Bank.

"(b) The United States Governor of the Bank shall give due regard to the principles of (i) utilizing all special funds resources on an equitable basis, and (ii) significantly shared participation by other contributors in each special fund to which United States special resources are provided.

"Sec. 15. The United States special resources shall be provided to the Bank in the form of a non-negotiable, non-interest-bearing letter of credit which shall be payable to the Bank at par value on demand to meet the cost of eligible goods and services, and administrative costs authorized pursuant to section 13(c) of this Act.

"Sec. 16. The United States shall have the right to withdraw all or part of the United States special resources and any accrued resources derived therefrom under the procedures provided for in section 8.03 of the special funds rules and regulations of the Bank.

"Sec. 17. For the purpose of providing United States special resources to the Bank there is hereby authorized to be appropriated \$25,000,000 for fiscal year 1970, \$35,000,000 for fiscal year 1971, and \$40,000,000 for fiscal year 1972, all of which shall remain available until expended."

S. 3544—INTRODUCTION OF A BILL TO AMEND THE ARMS CONTROL AND DISARMAMENT ACT RELATING TO ASSISTANT DIRECTORS

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations and provide for the uniform compensation of Assistant Directors.

A bill has been requested by the President of the United States and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

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was told, the court would have to appoint "a citizen with a law degree" to defend Chau on Wednesday.]

THE NATURE OF THE WAR IN LAOS

Mr. ALLOTT. Mr. President, the fight for Laos continues. The troubled American debate continues concerning the proper American response.

One thing is already clear: Events are outrunning reflection. Those who hope that we will be able to put Laos on the "back burner" until the Vietnam war is "settled" are too optimistic.

Further, they are mistaken about the nature of our enemy in that part of the world, and they are mistaken about the nature of the war in Laos.

The fundamental truth about this war, and the fact that makes it a matter of urgent concern, is the fact that the war in Laos is an integral part of the war in neighboring Vietnam.

Mr. President, Senators recall that I spoke on this problem last Thursday. At that time I urged Americans to face five important lessons that the Laos situation teaches. These lessons are:

First. So-called "neutralization" schemes are too fragile to survive in that turbulent part of the world.

Second. North Vietnam has not tempered its enthusiasm for aggression.

Third. The so-called "domino theory" may be about to receive some confirmation from events in Laos.

Fourth. North Vietnam's continuing invasion of Laos proves that the war in South Vietnam is more than a nationalistic uprising, and more than an "indigenous peasant revolt."

Fifth. The fact that North Vietnam is attending the so-called Paris peace talks does not insure that they have peaceful intentions regarding any neighboring country.

Mr. President, today I want to suggest a few more considerations that should influence our response to the situation in Laos.

First, many reasons have been given for our fight in Vietnam. But the controlling reason for American involvement is the belief that unchecked aggression is a threat to world peace, hence events in Laos may test whether we still think that is true.

Second, another reason we have fought in Vietnam is that we think American security is linked to the continued existence of non-Communist governments in Indochina.

For nearly a decade we have backed that conviction with force in Vietnam. The situation in Laos may test whether we still are convinced of the validity of that principle.

Third, the President has received the overwhelming support of both Houses of Congress for his policy of seeking an honorable and lasting peace in Vietnam.

The President is trying to wind down the war without letting down our allies. And he is trying to end this war in a way that will not sow the seeds of future wars. He wants to release today's Americans from war without condemning a future generation to war.

To achieve this end, the President has launched the policy of Vietnamization. But this policy presupposes that there will be no sharp increase in the level of violence in South Vietnam. The President's policy presupposes that the enemy's offensive capability will not significantly increase.

But what would happen, for example, if the Laotians are, due to enemy pressure, forced to demand that America stop interdicting the Ho Chi Minh Trail in Laos?

If this happens, North Vietnam, which today is battered and reeling, will get a new capacity for aggression. North Vietnam will gain yet another form of sanctuary, and men and materials will move just that much more easily into the main war zone.

Mr. President, many Senators have expressed the fear that the situation in Laos threatens to become "another Vietnam war." But this fear misses the point. The fact is, the war in Laos is an integral part of the ongoing Vietnam war, certainly as seen through the eyes of the North Vietnamese military. The countries are contiguous.

The aggressor in Laos is the aggressor in South Vietnam.

North Vietnam has been harassing Laos for years.

North Vietnam has been using infiltration routes through Laos and into South Vietnam for years.

The inescapable fact is that North Vietnam's war in Laos is related to its war in South Vietnam in the way Germany's invasion of France was related to its invasion of North Africa in World War II. That is, they are two parts of an integrated strategy.

In responding to each part of North Vietnam's strategy, we must not allow ourselves to think merely what it is comfortable to think. And we must not allow ourselves to be misled by slogans.

Mr. President, let me be very clear about what I am saying.

I am raising questions. I am speaking about problems that concern various parts of the American Government.

Further, I am not willing to expand American involvement on the ground in Southeast Asia. Senators recall that I cosponsored the amendment to the last defense appropriations bill which declared that no moneys should be spent for the introduction of ground combat troops in Laos without the consent of Congress.

I ask unanimous consent that the language of the amendment be printed in the Record at the conclusion of my remarks.

THE PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALLOTT. Mr. President, the question remains, what is to be done?

One thing is certain. With the situation in Laos in a state of extreme instability, and with many vexing problems yet to be fully understood, it is important that we do nothing hastily.

Beyond that there are two specific things we can do.

First, we can continue with the kind

of support we are currently giving the Laotian defenders.

There is nothing in battlefield conditions that indicates this would be a good time to curtail the limited aid we are giving with our airpower. Further, no action taken by Congress impedes or disapproves of this American support.

This is as it should be. We are now in the early stages of implementing the Nixon doctrine, which holds that the primary responsibility for defending any nation resides with the people of that nation.

According to the Nixon doctrine, America will lend support to embattled nations which make a vigorous self-defense effort. Laos is making such an effort to defend itself from the high-powered, experienced, and well-supported North Vietnamese war machine. It would be tactically foolish, unconsciously wrong, and utterly self-defeating in terms of the Nixon Doctrine, if we were to do anything to discourage the Laotian effort at self-defense.

There is a second thing we should do at this time.

We should take care to avoid statements which would ease the enemy's anxieties. Specifically, we should not plunge beyond the policy spelled out in the amendment referred to above.

Congress, in its proper participation in policy formation, must continue to insist that there be no introduction of ground combat troops into Laos without congressional consent. But, Congress should not give the impression that there are no circumstances in which we would offer more of other aid than the Laotian defenders are currently receiving.

President Nixon has reversed an 8-year tide of escalation in Southeast Asia. I do not expect that policy to be stopped. Indeed, I think it is an achievement of the highest statesmanship.

But American aid can take many forms other than ground combat troops. American technology has given us an arsenal both formidable and flexible. We can offer aid from this arsenal to those who are willing to fight in their own defense.

Mr. President, I hope the Laotian forces will prevail against the North Vietnamese invaders. As this struggle hangs in the balance, we should do nothing to damage that effort, either by cutting our aid or by giving the enemy a sense of invulnerability.

To summarize, we should now do the following things:

We should learn the lessons of Laos. We should replace slogans with policies. We should do nothing hastily. We should continue with our current support. And we should not give the impression that Congress has foresworn further scrutiny and evaluation of enemy activity in Laos.

Indeed, the most crucial thing we can do is to continue reviewing the Laos situation with open-mindedness, and with a clear understanding of the close connection between events in Laos and South Vietnam. This is the most important thing of all; namely, that the ac-

tions in South Vietnam in the past few years, and the actions in Laos, are part of an integrated policy of aggression by the North Vietnamese.

Mr. President, I believe that the legislative history made at that time amply demonstrates and clarifies the meaning of the amendment which will be printed in the RECORD at the conclusion of my remarks.

Now, Mr. President, I want to express my very deep appreciation to the distinguished Senator from Alabama (Mr. ALLEN). He was ready to take the floor on his own matters and yielded me this time. As always, his courtesy is very much appreciated.

EXHIBIT 1.

Public Law 91-171, Department of Defense Appropriation Act, 1970. "Sec. 643. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos or Thailand."

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that the President had approved and signed the following acts:

On March 2, 1970:

S. 55. An act for the relief of Leonard N. Rogers, John P. Corcoran, Mrs. Charles W. (Ethel J.) Pensinger, Marion M. Lee, and Arthur N. Lee.

On March 3, 1970:

S. 1678. An act for the relief of Robert C. Szabo; and

S. 2566. An act for the relief of Jimmie R. Pope.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Presiding Officer laid before the Senate a message from the President of the United States submitting the nomination of Joseph W. Keene, of Louisiana, to be U.S. marshal for the Western District of Louisiana, which was referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House has passed the bill (S. 2593) to exclude executive officers and managerial personnel of Western Hemisphere businesses from the numerical limitation of Western Hemisphere immigration, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 914. An act for the relief of Hood River County, Oregon;

H.R. 4574. An act to provide for the admission to the United States of certain inhabitants of the Bonin Islands;

H.R. 10068. An act to amend the act of April 29, 1941, to authorize the waiving of the requirements of performance and payment bonds in connection with certain con-

tracts entered into by the Secretary of Commerce;

H.R. 14322. An act to amend section 405 of title 37, United States Code, relating to cost-of-living allowances for members of the uniformed services on duty outside the United States or in Hawaii or Alaska;

H.R. 14645. An act to amend title 18 of the United States Code to prohibit certain uses of likenesses of the great seal of the United States, and the seals of the President and Vice President; and

H.R. 15142. An act to authorize any former Chairman of the Joint Chiefs of Staff to recompute his military retired pay under certain circumstances.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 2701) to establish a Commission on Population Growth and the American Future.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 914. An act for the relief of Hood River County, Ore.

H.R. 4574. An act to provide for the admission to the United States of certain inhabitants of the Bonin Islands; and

H.R. 14645. An act to amend title 18 of the United States Code to prohibit certain uses of likenesses of the great seal of the United States, and the seals of the President and Vice President; to the Committee on the Judiciary.

H.R. 10068. An act to amend the act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce; to the Committee on Commerce.

H.R. 14322. An act to amend section 405 of title 37, United States Code, relating to cost-of-living allowances for members of the uniformed services on duty outside the United States or in Hawaii or Alaska; and

H.R. 15142. An act to authorize any former Chairman of the Joint Chiefs of Staff to recompute his military retired pay under certain circumstances; to the Committee on Armed Services.

ORDER OF BUSINESS

The PRESIDING OFFICER. The question is on the adoption of the conference report on the HEW appropriations bill.

Mr. EASTLAND and Mr. COTTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COTTON. Mr. President, may I yield to the Senator from Mississippi, without losing my right to the floor?

Mr. EASTLAND. I thank the Senator.

ATTEMPTS BY GOVERNMENT OF GREAT BRITAIN TO INFLUENCE POLICY OF UNITED STATES WITH RESPECT TO RHODESIA

Mr. EASTLAND. Mr. President, the Government of Great Britain yesterday took another step designed to impose its influence on the foreign policy of the United States. The British representative in the United Nations announced his country will seek a meeting of the

Security Council in order to influence the United States and other members of the world body to join in its persecution of the nation of Rhodesia.

This is indeed the height of absurdity. It is most certainly a sad state of affairs when the State Department of this country finds itself at the beck and call of the foreign office of the Government of Great Britain. This is particularly true when all the British are seeking to do is further their own selfish interest.

I am dismayed and amazed that the leadership of the United States now finds itself in such a position.

The British are now trying to control the foreign policy of the United States and force us to take a course that is clearly in direct conflict with the best interest of America. These events take on even greater meaning when we examine the foreign policy of Great Britain and see that they have continually—almost without exception—acted in opposition to the interests of the United States and the Free World.

Read the roll of enemies of the United States—Cuba, North Vietnam, Communist China—and what do we find? We see that the British are dealing with every one of these enemies who have vowed to destroy America. Almost without exception, Great Britain has lined up with every enemy of this country.

Now, Mr. President, the government of Britain has the audacity to come before that great world body, the United Nations, and ask the United States to join them in condemning Rhodesia. I find this hard to believe.

Let us take a look at British foreign policy of recent years:

First, in Cuba, the British have joined in trade with this Communist nation that sits at the very doorstep of the United States. They have deliberately and openly flaunted the economic embargo which the United States imposed on Cuba, a policy which is supported by the Organization of American States and the nations of the Western Hemisphere who are interested in keeping Castro from exporting his doctrine of revolution. Only a few years ago this policy had brought the regime of Fidel Castro to its feet in an economic sense. It was then that our friends, the British, decided it would be in their best interest—Great Britain's, not ours—to join in trade agreements with Castro which brought a substantial number of British-manufactured buses to Cuba. The Cuban transportation system was in danger of breaking down completely—if it had not been for this act of wanton disregard for the interest of the United States on the part of Great Britain. The United States, at that time, protested the British action—and we were greeted with some statement in return that the British did not believe in boycotts. I maintain that the British do not believe in boycotts—except when the boycott is in their own selfish interest.

Mr. President, now we have the British before the United Nations, asking that the United States join them in boycotting Rhodesia. How can they make such a request when they refused to simply halt trade of strategic goods to Commu-

REPRESSION IN VIETNAM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 1970

Mr. BINGHAM. Mr. Speaker, ever since his November 3 speech on Vietnam, President Nixon seems to have lost all interest in a negotiated settlement in Vietnam, relying instead on the process of Vietnamization to carry on the war indefinitely. This has taken all the pressure off President Thieu to move in the direction of greater political freedom and a broader and more representative government. As was to be expected, Thieu has responded by moving instead toward greater repression.

An example of Thieu's growing intolerance of even moderate dissent is the outrageous prosecution and trial of Deputy Tran Ngoc Chau. In today's Washington Post, Mr. Dan Ellsberg, an expert on Vietnam, is quoted at length on the grim significance of the Chau case. He says the message of the case is that Americans will do nothing to protest Thieu's political opponents, and that the suppression of even non-Communist opponents of Thieu "ends whatever small hope there was for a negotiated settlement" and "puts time on the side of the Communists." The article follows:

ANALYST FEARS UNITED STATES ACCEPTS VIET REPRESSION

(By Lee Lescage)

The case of Saigon Deputy Tran Ngoc Chau indicates that the United States is willing to accept any repressive action by the Thieu government, a long-time Vietnam analyst believes.

"The case signals so clearly our willingness to collaborate with a regime that is destroying all factions that seek to end the war and are able and willing to compete politically with the Communists," Dan Ellsberg said in an interview yesterday.

Chau was stripped of his parliamentary immunity by a petition that some Vietnamese lawyers in Saigon feel was unconstitutional. He is being tried for aiding the Communists through conversations with his brother, who is an admitted Communist agent. He earlier was found guilty in absentia and sentenced to 20 years; he is now being retried.

Before his arrest and prosecution, Chau had been critical of the Thieu government and had made public charges that Nguyen Cao Thang, a close associate of the president, was bribing and blackmailing members of the legislature to get their votes.

"If Thieu can act this blatantly against a man known by many Americans and Vietnamese to be an anti-Communist nationalist then he can do it to anyone," Ellsberg said.

Ellsberg says the message of the Chau case to political opponents of Thieu is that the Americans will do nothing to protect them.

Non-Communist elements like the An Quang Buddhists and friends of Chau will think twice before running for the Senate in this year's elections or for the house in 1971 if they fear reprisals, Ellsberg said.

The suppression of non-Communist opponents of Thieu also ends whatever small hope there was for a negotiated settlement, Ellsberg said. "It puts time on the side of the Communists."

In Ellsberg's view the Communists have

nothing to fear politically from the Thieu government. Without American support, it will collapse, and the longer it remains in power the more effective it will be in preventing a cohesive non-Communist opposition from forming.

In addition, the Vietcong seem certain to reason that if Thieu and the Americans do not protect the freedom of a non-Communist legislator they would not be likely to guarantee the fairness of elections that included Communists or the physical safety of Communist campaigners.

Ellsberg and Gen. Edward G. Lansdale, for whom Ellsberg worked in Vietnam during 1965-67, agree that Chau is not a Communist.

Chau and other foes of Thieu would, however, not lead an anti-Communist war if they were to come to power, Ellsberg said. They would seek first to end the fighting and then to avoid, to the greatest possible extent, political domination by the Communists.

"Thieu's actions," Ellsberg said, "exclude from power any Vietnamese voices that want the fighting to end."

In supporting Thieu, Ellsberg believes, the United States "has made once again a choice to block a Communist dictatorship by support of a military dictatorship."

He thinks this course will not lead to a successful Vietnamization of the war, but will confront President Nixon eventually with a choice between staying on in support of Thieu or withdrawing and watching the immediate collapse of the Saigon regime.

The South Vietnamese Supreme Court still has an opportunity to review the Chau case and the American Embassy could still break its official silence on Chau. But if the case proceeds as it has begun with Thieu getting his way, Ellsberg believes the basis for hopes of a Saigon government determined to end the war will have been stripped away.

Before his two years with the State Department in Vietnam, where Ellsberg came to know Chau well, he worked for Assistant Secretary of Defense John McNaughton in 1964-65. He is now doing research on the origins of the U.S. involvement in Vietnam.

THE PEOPLE ARE NOT STUPID—DOUGLAS MUST GO

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 1970

Mr. RARICK. Mr. Speaker, my convictions that Associate Justice William O. Douglas should leave the Bench or be impeached are well known. When these views are not strengthened by his pronouncements on the Bench, they are fortified by his appalling conduct and writings off the Bench.

Last week I called to the attention of the House a letter to the editor of a mid-west newspaper, calling for impeachment of this disgrace to the Bench. Today, I received an intelligent and well-reasoned second to the removal idea, from a writer in New York.

The American people are not stupid. They increasingly demand that we perform our constitutional duty to rid the Supreme Court of this exponent of subversion and perversion.

I include in my remarks my correspondent's letter:

ASTORIA, N.Y.,

February 28, 1970.

Re "Pollution of Justice—Douglas Must Go." (Congressional Record, February 24, 1970, p. E1253).

Hon. JOHN R. RARICK,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RARICK: I am in full agreement with the February 17 letter published in the *Chicago Tribune*, except for the final sentence (presumably restating the paper's editorial opinion), according to which "... impeachment proceedings are in order if voluntary retirement is not forthcoming."

In my opinion impeachment proceedings are in order. Period. Regardless of whether voluntary retirement is forthcoming. The bad behavior of a public official should go on record even if he intends to avoid impeachment proceedings by voluntary retirement and even if there is no hope to muster a two-third majority and to accomplish removal.

If, for the purposes of this argument, we accept the textbook theory of three co-equal branches of government, it is apparent that the controlling powers between the three branches are not and never were equal. Presidential vetoes and judicial review are rather impersonal—they deal with acts of Congress. Lifetime appointment of Justices and subsequent Senate confirmations are personal but positive by nature. The Chief Justice's role in presiding over the impeachment trial of the President is a rather passive, *ex officio* function.

Congress, the first and most responsible branch of government has the duty to exercise the power of impeachment, by character the most sensitive, most personal and most negative control. This is the time for Congress to reassert its prerogatives as the First Branch of Government, by removing this dishonorable man from the highest court of our Nation.

You, Sir, are eminently qualified to initiate such proceedings.

Sincerely,

GEORGE HORVATH.

DOMESTIC SCIENCE SCHOOL FOR MEN

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 1970

Mr. PUCINSKI. Mr. Speaker, with the increasing number of women entering the ranks of industry, particularly working mothers, certainly the men ought to know something about looking after the house. It is estimated that by 1975, 50 percent of the mothers will be working.

Recently, the German Tribune reprinted an article from the Frankfurter Neue Presse concerning a school established in Munster to train men in the secrets and mysteries of running a household in the event the mother or wife became ill or some other catastrophe occurred in the family.

This kind of training could bring families closer together, and it would make husbands and bachelors realize more the difficult job women face in running an efficient household.

I commend the following article to my colleagues:

DOMESTIC SCIENCE SCHOOL FOR MEN

Men in Munster have given up going to the pub in the evening and have taken up a new hobby—they are now attending a domestic science school.

March 5, 1970

E 1661

Congressman ANDERSON, who was the commander of the nuclear submarine *Nautilus*, is certainly an authority on seapower and naval defense and is the author of three books on atomic submarines and atomic power.

Because of the interest of my colleagues and the American people in this most important subject, I include the article by Representative ANDERSON in the RECORD:

LET'S SEND SABMIS TO SEA NOW

(By Representative WILLIAM R. ANDERSON)

Suppose we could have, for a relatively reasonable price, an anti-ballistic-missile (ABM) deployment that an attacking enemy would have a hard time hitting. One that would force him to invest expensive attention on the world's oceans instead of on the continental United States. That would rake from the heavens many of his multiple-warheads missiles before the nuclear warheads had time to spread out—thus immensely simplifying the defensive task of our land-based ABM systems. And that would help provide our President with more time for deliberate decision in the event of a nuclear crisis.

An added bonus would be that with such a system we might be able to retard dangerous nuclear proliferation. We could offer an effective light defense against nuclear attack to countries we are pledged to protect; we would not be restricted, as we now are, to the single choice of delivering holocaustal nuclear retaliation on their behalf. With such a defensive system available to them, such countries as West Germany, Japan, Israel and India, all of whom now are capable of producing atomic arms, might be persuaded not to do so.

Would you buy a defense system that provided all that? I think we should. For such a system is available. It can be built and deployed by the mid-1970s, by which time our defense planners believe the chances of nuclear attack, either from Russia or Red China, may be great.

There is nothing secret about the practicability of this system. I described it last year on the floor of the House, but my words were swept away in the emotional tides that swirled about the ABM debate. It is called Sea-based Anti-Ballistic-Missile System—SABMIS. The concept has been developed and thoroughly analyzed by the Navy. No expensive new research-and-development programs are required. The necessary technical knowledge exists. All that remains is to build the component parts and send SABMIS to sea.

The basic SABMIS unit would be a ship about the size of a large cruiser, fitted with powerful radar similar to a type already in use at sea. It would carry computers capable of tracking simultaneously several attacking intercontinental ballistic missiles (ICBMs). It would be loaded with more than 60 interceptor missiles mounted on Poseidon boosters. If the SABMIS ship were to miss on the first shot, it would have time to recalculate and shoot again. If it were to miss altogether, SABMIS' computers and communications systems could warn the U.S.-based Safeguard ABMs that some warheads had got through, and tell them where to concentrate their attentions.

One of the things that have our defense planners greatly concerned is the communist development of the multiple independently targeted re-entry vehicle (MIRV) ICBM. The MIRV is like one of those Fourth of July rockets that explode into a big, colorful spray as they come down—except that the spray the MIRV unleashes is full of nuclear warheads which can be guided to targets hundreds of miles apart, and mixed

with these are all kinds of penetration aids designed to confuse and jam defensive radars.

Against this threat, consider the value of just two SABMIS stations, each including one or more ships. If the first station were in the Gulf of Alaska and the other in Baffin Bay, in the vicinity of our Thule, Greenland, Air Force base, the two could cover the entire threat corridor through which both Soviet and Red Chinese ICBMs would have to be fired toward the United States. At such forward locations, under the umbrella of friendly forces, SABMIS could catch with its missiles many incoming ICBMs before MIRV clouds had much chance to spread. And since the interceptions would occur above the atmosphere and over water, the North American continent would be spared a great deal of nuclear blast and direct radioactive fallout.

In addition to the two forward-based SABMIS stations, we could have other stations somewhere off our Atlantic and Pacific coasts, to help defend against submarine-launched ballistic missiles. These ships would comprise an effective light SABMIS deployment for the United States. Because ships must occasionally return to base, we probably would want to build six or eight in all.

The at-sea SABMIS force would hugely complicate an aggressor's attack problem. To be certain that he had placed a sufficiently destructive amount of nuclear firepower on important U.S. targets, he first would have to knock out our ABM systems, which means that he would have to destroy our SABMIS ships. But it is never easy to destroy a naval force at sea. Our SABMIS ships could, if the threat warranted, cruise constantly in coordination with fast, strong escort forces. Furthermore, if during a crisis an opponent attempted with his own naval forces to close in on our SABMIS force, this in itself would be a clear signal to the President to alert our own retaliatory forces—the bulk of which also could and should be placed at sea.¹

The Navy's studies show that should an aggressor fire a nuclear missile at a SABMIS ship from, say, the Soviet Union, the ship, alerted, could be well out of the kill zone—as far as ten miles away—by the time the missile reached the target. To have any chance at all of hitting SABMIS, the attacker would have to fire a great many missiles all around a 20-mile diameter of ocean. This would be enormously expensive, and he still could not be certain of success, for if a SABMIS computer showed that any of these were going to come within kill range, the ship could destroy them with its interceptor missiles.

SABMIS together with Safeguard would thus provide us with two interception zones—a defense-in-depth that would increase the survivability of a vital portion of our retaliatory arsenal. Moreover, with its capacity to knock down enemy weapons far from our homeland, SABMIS would make a crucial contribution to the President's decision time. Obviously, he must have as much time as we can buy for him to determine whether the country actually is under sustained all-out nuclear assault and, if so, to ascertain the source of the attack and decide on—and be able to deliver—the appropriate response.

There are other attractive features to SABMIS: Its mobility would enable us to relocate it quickly in time of crisis. The system never would be locked in anywhere. Should the world powers ever achieve nuclear disarmament, the ships would still be valuable: they could be converted for conventional warfare missions. And, by comparison with

¹ See "A Bold New Plan for National Defense," *The Reader's Digest*, October '69.

other important items in our defense budget, even SABMIS' price is attractive: less than eight billion dollars is the Navy's estimate for eight ships, their missiles and ten years of operations.

A few additional SABMIS ships could go far toward making the recent non-proliferation treaty effective. For instance, with four additional ships we could offer protection to the entire North Atlantic Treaty Organization area without threatening nuclear retaliation aimed at the source of possible attack. With one, we could do the same for Japan; with two, for India. Such light deployments would be possible throughout the free world. SABMIS ships assigned to defend countries in the Southern Hemisphere could also be on the lookout for Soviet orbital bombardment attacks launched against the United States from southerly directions. And there seems no reason why friendly countries who are interested in a stable peace and who wish to avoid the vast expense of building their own nuclear weapons should not be willing to help pay for the SABMIS ships that their defenses would require.

There never has been a reasonable argument against the SABMIS concept. There has been some talk about "ship vulnerability"—people worry that ships can be found and sunk. Indeed they can, but not nearly so easily and cheaply as immobile, land-based systems can be targeted and destroyed—in the kind of attack that would kill millions of Americans and reduce much of our country to poisonous rubble.

Yet SABMIS consistently has been blocked in the Department of Defense. Powerful elements who have committed billions of dollars of the taxpayers' money to the land-based ABM concept will not tolerate a system they deem to be in competition with it. But anyone who has been listening should know that the Navy has not offered SABMIS as a substitute for Safeguard, that on the contrary it strongly supports the idea of a terminal-stage defense system and has advanced the SABMIS concept as a vital, relatively inexpensive supplement to it.

Just enough funding has been granted SABMIS so that the Defense Department can say the idea is being "examined." In the current fiscal year the Navy had confidence enough in SABMIS to ask for 55 million dollars. When Defense refused any funds, the Navy reduced its request to ten million dollars, and Defense finally granted three million. Furthermore, it appears that some people in the Defense Department either have not been doing their homework, or deliberately have been misinforming their superiors. Queried on SABMIS during the 1969 ABM debate, Deputy Defense Secretary David Packard said he had been told that the technology was so uncertain that the system could be developed only long after Safeguard. This simply is not true. SABMIS is based on current technologies, and could be operational within the same time span as, and perhaps even sooner than, Safeguard.

Then, there is the tragic fact that the United States still is not a sea-minded nation. A Navy of old and worn-out ships, a decrepit Merchant Marine and a totally inadequate oceanology program are sufficient proof.

The military axiom that the best defense is a good offense still holds true, and that is where our heaviest defense investments should be made. I don't suggest that we spend ourselves to death trying to develop airtight ballistic-missile defenses—I don't believe it can be done. What we can well afford to do, and should do, is develop and deploy a defense-in-depth that will help greatly to lessen the growing nuclear pressures against this country. By continuing to treat SABMIS as an unwanted stepchild, the Defense Department will be making a grave and costly mistake.

Chau Loses Saigon Trial, Sentence Cut

SAIGON, March 5 (Thursday) (AP)—A military court convicted National Assemblyman Tran Ngoc Chau today for the second time of pro-Communist activity, but reduced the 20-year sentence it gave him last week to 10 years.

The political opponent of President Thieu was accused of illegal contacts with a brother who was a Vietcong intelligence agent and who is now in prison.

As he was led from the courtroom, Chau told newsmen: "When peace is restored, I will be back and serve the nation." Then he flashed the "V" sign with his right hand.

Chau admitted having contacts with his brother, but said he was acting as an unofficial agent for the U.S. Central Intelligence Agency. He testified today that he warned the CIA in mid-1967 of the Communists' plans for the February, 1968, Tet offensive but did not report the information to South Vietnamese leaders.

"You were wrong," said Lt. Col. Trieu Khac Huynh, the chief of the five-officer court. "Why didn't you report this to the Vietnamese authorities? The Americans were not our rulers."

The judge said Chau was "nothing more than an opportunist" who had taken South Vietnamese leaders too lightly while being overly zealous toward the Americans "who should have been just our allies and advisers."

U.S. Is Said to Have Blocked Visit by Chau, Thieu Foe

By TAD SZULC

Special to The New York Times

WASHINGTON, March 27—

The United States blocked a visit here by a South Vietnamese Deputy, Tran Ngoc Chau, last summer after the embassy in Saigon had advised that his trip would displease President Nguyen Van Thieu, authoritative quarters said here today.

This decision by the State Department came according to highly placed informants, at the time when President Thieu began the pressure against Mr. Chau that led to his arrest and trial three weeks ago, when he was sentenced to 10 years at hard labor.

The charges against Mr. Chau in a Saigon military court were that he maintained illegal and criminal contacts with his brother, a North Vietnamese intelligence captain, Tran Ngou Hion, despite secret information conveyed to the Saigon Government by a high-ranking American official in July, 1969, that Mr. Chau had acted with the knowledge and approval of the United States Embassy and the Central Intelligence Agency.

First Move Last Summer

As reconstructed from Administration, Congressional and other sources here, the first effort by Mr. Chau's American friends to save him from prosecution by the Thieu regime, which regards him as a political foe, came last summer when it was first recognized that he was in danger of arrest and trial.

John Paul Vann, chief of the Rural Pacification Program in

the Mekong Delta, testified at a closed session of the Senate Foreign Relations Committee last month that he had presented "in detail" the background of Mr. Chau's association with the United States Government at a meeting in July, 1969, with Tran Thien Khiem, who was then Deputy Premier and now is Premier.

Mr. Vann testified that he informed Mr. Khiem of Mr. Chau's status with the authorization of his immediate superior, the Deputy Ambassador, William P. Colby.

The United States Government has not, however, publicly conceded that Mr. Chau was acting in concert with American political and intelligence officials.

Mr. Vann's testimony before the senate foreign relations committee was heavily censored by the State Department and was returned to the committee this week pending a decision on its release.

Bunkers Role Repealed

Mr. Vann's testimony, according to senatorial sources, also touched at length on the alleged delays by Ellsworth Bunker, the United States Ambassador in Saigon, in carrying out instructions from the State Department to intervene in favor of Mr. Chau.

At about the time Mr. Vann conferred with the Deputy Premier, a number of Mr. Chau's American friends in South Vietnam arranged for him to visit the United States. But when Mr. Chau applied for a visa, he was refused one. Informants here said this was done on Mr.

Bunker's recommendation, based on the belief that President Thieu would resent Mr. Chau's departure.

Mr. Chau's concern was communicated to Senator J. W. Fulbright of Arkansas, Chairman of the Foreign Relations Committee. He is reportedly to have suggested to Under Secretary of State Elliot L. Richardson that the Administration intervene.

Mr. Richardson cabled instructions to Mr. Bunker on Dec. 23—the date was erroneously reported in The Times today as Dec. 22—to raise the Chau case with President Thieu and inform him of the Administration's desire to see the charges dropped.

Officials confirmed yesterday that Mr. Richardson followed up the first cable with a second one on Feb. 7, when it developed that Mr. Bunker had conveyed softened expression of American concern to lower ranking South Vietnamese officials.

As a result, Mr. Bunker met Mr. Thieu on Feb. 10, when he was informed that the case was already in the hands of the military court.

Before his audience with Mr. Thieu, Mr. Bunker was relaying assurances to the State Department that even if tried, Mr. Chau would not be imprisoned.

Meanwhile, the Administration continued to maintain silence on the Chau case.

The State Department's spokesman, Robert J. McCloskey said today that he would not comment on any aspect of the case and did not anticipate

that comment would be forthcoming.

In Key Biscayne, Fla., where President Nixon is spending the Easter holiday, the White House press secretary, Ronald O. Ziegler said that there "is no displeasure on the part of the President whatsoever in relation to Ambassador Bunker's handling of his post in Saigon."

U.S. Silent on Bunker's Role in Vietnamese Spy Case

By Murrey Marder

Washington Post Staff Writer

The State Department refused yesterday to discuss reports that Ellsworth Bunker, ambassador to Saigon, frustrated American intercession in South Vietnam's Tran Ngoc Chau case.

Chau, once a favorite of U.S. officials in Vietnam, was sentenced to 10 years in prison earlier this month for pro-Communist activity.

His prosecution is regarded by many U.S. sources as a calculated warning to South Vietnamese against private contacts with Americans, and a warning to those who favor broadening the Saigon government in order to seek a compromise settlement of the war.

What is really at issue, these sources contend, is Saigon's determination to gain veto power over any war settlement.

Apparent support for these suspicions came in another set of spy charges in Saigon last week. South Vietnamese police displayed a photo showing an alleged

spy, Bui Van Sac, talking to an American official identified as Harold Colebaugh, former political officer at the U.S. Embassy.

Defendant's Story

In the first case, against Chau, the defendant claimed at his military trial that he kept U.S. officials informed of his contacts with his brother, a confessed North Vietnamese secret agent.

Several U.S. sources have confirmed these contacts, including John Paul Vann now a senior pacification official in Vietnam. Vann, now a senior pacification before the Senate Foreign Relations Committee last month about his association with Chau.

The American Embassy, to the private chagrin of many of Chau's American friends, remained publicly silent about the Chau case, however. Chau bitterly protested that he was being sacrificed by the U.S. government to avoid offending South Vietnamese President Nguyen Van Thieu, who was determined to convict him.

In the subsequent spy case involving Bui Van Sac, however, the U.S. Embassy evidently regarded the implications about American contacts to be so blatant that embassy officials felt compelled to speak out.

In defense of Colebaugh's

contacts with Sac, the embassy said last Sunday that Colebaugh and other U.S. officials had met with Sac "in connection with carrying out their official responsibilities."

Bunker Accused

Ambassador Bunker, in a published report yesterday, was charged with "misinforming" Washington about the Chau case. Flora Lewis, columnist for Newsday, reported that Bunker, one of President Thieu's strongest supporters, had planned to issue a statement intended to disassociate the American Embassy from Chau.

Bunker, Miss Lewis reported, planned to say publicly that "no American am-

bassador directly or through any intermediary suggested or encouraged Mr. Chau to initiate or continue his contacts with Capt. Hien" (Capt. Tran Ngoc Hien, the Hanoi agent and Chau's brother).

The State Department, Miss Lewis reported, advised Bunker not to issue a statement because it would conflict with testimony given by Vann at the

Senate Foreign Relations Committee hearing.

Other sources said yesterday that the Bunker statement was carefully phrased to be technically accurate, but it would have exposed the Nixon administration to questioning of its credibility.

These sources said no one had claimed, as the Bunker statement denied, that an "American ambassador" had

"suggested or initiated" Chau's contacts with Hien. Chau instead was said to have kept officials informed of the contacts and was also credited with helping alert U.S. officials to a Communist threat to Saigon, which later turned out to be the Tet offensive of early 1968.

State Department press officer Carl E. Bartsch said yesterday, "I will have no comment on that matter,"

declining to discuss the Chau case, the Lewis report or any other aspect of the affair.

President Nixon was asked about the Chau case on Saturday during his impromptu news conference. He replied that "this was a matter which Ambassador Bunker has discussed with President Thieu" but it "would not be appropriate" to say anything further.

PRESSURE GROWS

Bunker in the Middle Of the Chau Affair

By JAMES DOYLE
Star Staff Writer

A ruling yesterday by the South Vietnamese Supreme Court has placed American Ambassador Ellsworth Bunker squarely in the middle between the Thieu regime and the State Department.

The State Department had been unsuccessfully prodding Bunker to protect U.S. interests in the case.

The court, which has shown some independence from President Nguyen Van Thieu, ruled that the arrest of Assemblyman Tran Ngoc Chau was carried out in an unconstitutional manner.

The ruling lent support to the heavy pressure that has emanated from lower levels of the American Embassy, and higher levels of the U.S. government here, to see that Chau is freed from his sentence of 10 years at hard labor on charges of aiding the enemy.

The pressure began on Dec. 22, when Undersecretary of State Elliot L. Richardson sent a cable to Bunker instructing him to head off Chau's prosecution. Bunker chose to interpret the instructions in his own way.

In a cable to his superiors some weeks ago, Bunker defended the South Vietnamese government action in prosecuting Chau and suggested that judgment against it be suspended until Saigon's Supreme Court ruled on the constitutionality of Chau's arrest.

Chau is a former army colonel and province chief who agent of the North Vietnamese government.

Aside from the fact that a number of the South Vietnamese is in communication with his brother frequently in Saigon, although his brother was an enemy government have family members fighting on the other side, Chau's case has caused much criticism for other reasons.

He painstakingly passed on to the U.S. government information he gained from conversations with his brother.

And at one point, in 1966, he undertook to set up a meeting

between his brother and then-U.S. Ambassador Henry Cabot Lodge, with the knowledge and cooperation of the American Embassy. Before the Paris peace talks, this kind of contact with North Vietnam was sought.

The 1966 meeting never came off because Lodge wanted to send a lower official and Chau's brother, North Vietnamese Captain Tran Ngoc Hien, refused to meet with anyone except the ambassador.

But agents of the Central Intelligence Agency and members of the U.S. mission in Saigon knew about Chau's dealings with his brother, and implicitly approved.

In fact, Chau's recommendations before the Tet offensive of 1968 were taken most seriously by some military and civilian officials, and turned out to be a proper response to the North Vietnamese tactics that subsequently came during Tet.

The Chau case has caused great anxiety in U.S. diplomatic circles — especially suggestions that Bunker is responsible for not heading off Chau's prosecution.

Bunker received cable from Richardson Dec. 22 instructing him to do whatever necessary to convince President Thieu that the U.S. wanted the Chau case quashed.

The cable said that lower level members of the U.S. government knew Chau and considered him loyal to South Vietnam and an invaluable aid to the United States.

Beyond that, Richardson said, high level government officials were concerned that an adverse press reaction to Chau's trial would hurt support for Nixon's Vietnam policy.

The cable pointed out that Chau's background was well known in the United States, and any attempt to imprison him for aiding the enemy would be viewed as unjust.

Bunker's Decision

Bunker was told to "leave no doubt of our concern in the mind of President Thieu," and

to point out that prosecuting Chau would be harmful to United States' interests.

The ambassador chose not to see Thieu himself, but to have the instructions from Washington handled on a lower level in a very low-key manner. He reported back to Washington assurances that Chau would not be imprisoned, but that he might be prosecuted "in absentia" for seeing his brother.

Despite the fact that President Nixon has said he would accept a coalition government in Saigon if it were the peoples' wish, Bunker also cabled the State Department that they should understand that Chau was guilty of a crime under South Vietnamese law because he had advocated a coalition government.

In fact, say Chau's supporters, he never advocated allowing Communists to serve in the cabinet but only to allow an accommodation of members of the National Liberation Front on the province level through negotiations. Presidential advisor Henry A. Kissinger has advocated the same thing in published articles.

A Dinner Party Remark

There are various theories on why Bunker decided to downplay the State Department's cabled wishes in the Chau case. But one clue came at a Saigon dinner party in early December, before the cable traffic started to flow on Chau.

Bunker told his guests that night in early December that he had "irrefutable proof" that Chau was a Communist.

Among those present who heard the remark were Dong Van Sung, leader of the government bloc in the South Vietnamese Senate and a strong anti-Communist.

Also on hand was a staff member of the National Security Council during the Johnson administration and the early Nixon administration. Richard Moos, who was in Saigon on a fact-finding trip for the Senate Foreign Relations Committee, confirmed today that he had heard Bunker make the remark, and that Sung heard it too.

It was after this that Thieu began a concerted move against Chau, and Bunker began to downplay the cables from Washington.

No member of the Vietnam government or the State Department professes to believe that Chau is a Communist. No other member of the U.S. Em-

bassy in Saigon has ever suggested it. Many in both groups have said, on the contrary, that Chau is not a Communist.

Bunker has never charged it in writing or within official channels, and he has never

disclosed his "irrefutable proof."

The suspicion of Chau as a Communist is not really an issue in the case. Thieu has said that he found it necessary to prosecute Chau not because he suspected he was a "Communist." (In fact, Thieu and Chau are old friends and former roommates during military service together.)

Thieu told Bunker he had to prosecute Chau so that his constituency, the generals and other strong anti-Communists, would not think he was wavering or in any way showing sympathy to the idea of coalition government.

The more accepted analysis at the State Department is that Thieu has succeeded in removing from the National Assembly the most important spokesman for political accommodation with the enemy at the province level, and for negotiations between North and South.

This point has been recognized, apparently, at lower levels of the State Department and the Saigon Embassy. There is said to be a minor rebellion going on at both places over Bunker's unwillingness to rescue Chau from Thieu's grip.

At higher levels, the fear seems to be more one of public relations. This has been expressed in cables signed by Rogers and Richardson. And Kissinger, who takes an active interest in all foreign policy matters that he deems important, has viewed the Chau case "with sympathy, from a distance," according to one source.

There is still another aspect of the case which some members of both the Senate and the State Department have found disturbing: Reports from low level officials get reversed in meaning before they reach high officials here.

Bunker's New Order

Even as Ambassador Bunker was assuring Washington that Chau would not be imprisoned, he was getting reports from his own subordinates indicating that there seemed a strong likelihood that Thieu was planning to stage demonstrations against the assembly.

oyman, and to coerce three-quarters of the assembly to sign a petition removing Chau's immunity from arrest.

Finally, on Feb. 7, Richardson cabled Bunker reminding him of the Dec. 22 cable and saying it was now imperative that Bunker speak to Thieu directly and convey the strong dissent of the United States government.

Richardson instructed Bunker to try to get the charges dropped, and if he could not, to press for a trial in a civilian court and to get Thieu's agreement that there be no imprisonment even if Chau were found guilty.

Bunker saw Thieu Feb. 10, at which time Thieu informed him the case was already before a military court and the decision was irreversible.

By his own account, Bunker did not express the deep concern of his superiors, but told Thieu only the U.S. press and the Congress were upset.

Bunker added that it was his own opinion that the charges alone had ruined Chau's political career and there was no need to make him a martyr by imprisoning him.

In Bunker's remarks, as he recounted them to the State Department, there was no indication of concern over the issue of a need for broad-based support of the South Vietnamese government. The tone, which the State Department seems to have assented to, was one of simple support for a government of our own creation in what was deemed a minor embarrassment.

Canceling a Denial

One mystifying element in all of this is the fact that the embassy never informed the South Vietnamese that Chau was on the closest terms with a number of officials in the embassy.

In fact, Bunker at one point cabled Washington that he planned to deny that Chau had American approval in setting up a meeting between his Communist brother and Ambassador Lodge.

The department hurriedly cabled back that another official, John Paul Vann, the top civilian in the Mekong Delta, had told the Senate Foreign Relations Committee the whole story of the attempted meeting in a private session last month.

Vann had been a close contact of Chau's when Lodge was ambassador, and had introduced Chau to other high-level Americans. He also kept Bunker fully informed of his dealings with Chau.

In September 1967, Chau presided at a briefing for Vann, Ambassador Bunker, his first assistant, Deputy Ambassador Samuel Berger, and the commanding general of the U.S. forces around Saigon, Frederick C. Weyand.

Chau forcefully argued that the so-called "blue areas" on the pacification maps, the big cities and population centers that were listed as secure, needed much more military protection against the possibil-

ity of wide scale attacks by the North Vietnamese.

Weyand was said to have been very impressed, possibly because Chau was in constant contact with his brother at this time.

General William C. Westmoreland, then commander of U.S. troops in Vietnam and Deputy Ambassador Robert Komer were at this time publicly boasting about the extent of the secure area, and seeking to push their efforts further and further from the cities.

Strategy Worked

Weyand persuaded Westmoreland to let him concentrate his troops closer to Saigon. As a result, the Communists were unable at Tet to interdict the runways at the two major airports near Saigon and troop airlifts from these spots not only held the major southern cities, but sped reinforcements to the northern areas as well.

A marine general at the time told a reporter that if Tan Son Nhut and Ben Hoa airports had been overrun, many major cities would have fallen within a few days after Tet.

This alone seemed reason enough to support Chau against Thieu's attacks, but there was no such support.

President Nixon was asked about it at his news conference Saturday, and said that it had been the subject of discussion between Bunker and Thieu.

But the cable traffic, and public statements of the South Vietnamese government, state that the U.S. has never discussed Chau's role.

Bunker-State Department Split On Chau Reported by Columnist

Serious differences existed between Ellsworth Bunker, the United States Ambassador to South Vietnam and the State Department over the handling of the case of Tran Ngoc Chau, the opposition deputy sentenced to 10 years' imprisonment, according to the Newsday columnist Flora Lewis.

In her syndicated column yesterday, Miss Lewis wrote that Ambassador Bunker had proposed making a public statement that no American ambassador had ever been involved in Mr. Chau's eight meetings with his brother, Tran Ngoc Hien, a North Vietnamese intelligence officer, although Ambassador Bunker knew this to be untrue.

But, according to Miss Lewis, the State Department ordered Ambassador Bunker not to make such a statement because it conflicted with secret testimony given by John Vann, chief of United States pacification efforts in the Mekong Delta, at a hearing of the Senate Foreign Relations Committee last month.

"That was a diplomatic way of saying the department knew Bunker's proposed comment was untrue and was aware that Bunker also knew it was untrue," Miss Lewis wrote.

Ambassador Bunker was

himself present at a meeting in September, 1967, when Mr. Chau briefed high American officials on his knowledge of enemy plans for the forthcoming Tet offensive. Miss Lewis wrote that Mr. Chau had learned of these plans from the meeting with his brother.

Although Mr. Chu did not have precise information on the timing and place of the impending attacks, Miss Lewis reported, some top American officers believe that his advice was instrumental in preventing Gen. William C. Westmoreland, then United States commander in Vietnam, from transferring more troops to outlying regions and exposing Saigon to disaster. The offensive began at the end of January, 1968.

Miss Lewis wrote that Ambassador Bunker, in suggesting that contacts with Mr. Chau be denied, was acting to protect President Nguyen Van Thieu of South Vietnam.

"Bunker, 75, is a traditional type of New England Yankee with a record of high personal integrity," she wrote. "However, it was he who picked Thieu as America's favorite candidate for the presidency and, in effect, created the Thieu government. He is deeply committed to its maintenance in power."

said he still had "an open mind" on the subject. Then he voted for Haynsworth's confirmation.

Smith is not fond of discussing the subject. Again, he says he was misquoted and misunderstood. [The high school debater in him still doesn't communicate with newsmen.] It is obvious that he was apprehensive about the mood of his home state following the recent scandal in the Illinois Supreme court.

It has been rumored that Smith was erroneously informed that Nixon was going to withdraw Haynsworth's name. The rumors cannot be substantiated, but he did try to contact the President several times before calling his fateful press conference. The President, as many congressmen have discovered, could not be reached. When he could, it was too late and too bad for Smith.

He has denied that the President pressured him into his affirmative vote, but it is obvious that Nixon exerted his executive influence on every senator he thought could be budged. Smith does not deny that he was greatly influenced by a heap of mail, most of it angry and nearly all of it demanding that he vote for Haynsworth's confirmation.

But the Haynsworth incident occurred early in the game, and Smith is still out there running around with the ball. He has learned to maneuver most adroitly; it was a significantly different Smith who attacked the Democratic-sponsored tax reform bill.

Sen. Albert Gore [D., Tenn.] introduced an amendment increasing individual tax exemptions from \$600 to \$800. His fellow Democrats called it an advantage to the taxpayer. Smith called it a fraud.

He noted that while the amendment increased the individual exemption, it cut the tax bill's proposed basic deduction from \$2,000 or 15 percent down to \$1,000 or 10 per cent. Also, he said, it removed other possible deductions to the point where anyone earning between \$6,000 and \$15,000 a year would pay more taxes than before.

The Gore amendment lost and was replaced with one that increased individual exemptions by \$150 over a period of years and left the deduction provisions just as they were.

But altho Smith has many admirers in Washington, his political fate is about to fall into the hands of the voters. By law his appointment is temporary. If he is to serve out the four years remaining in Dirksen's term, he must run for reelection—first in the March 17 primary, then in the Nov. 5 election against Adlai Stevenson III.

Should he lose, it could be the last the political world sees of the Senator. Certainly it would be an irrevocable termination of his school boy dream. Should he win, he will be provided a future in which to dream further. Perhaps he will ascend to the power and influence of his predecessor, perhaps even to a "higher office." I once asked him if he would like to be Vice President. He replied automatically that his place is in the Senate, but when he did so he grinned.

The odds are against him, but, characteristically, he is confident. There is a bit of the cocky kid in this, the small town boy in knickers who went up to the blackboard and tossed the chalk into the air.

But then, the small boy solved the equation.

TRAN NGOC CHAU

Mr. FULBRIGHT. Mr. President, last week, several news stories appeared which cast new light on the case of Tran Ngoc Chau. These stories, apparently obtained within the executive branch, raised serious questions concerning the role of our Saigon Embassy in the Chau affair.

I urge that Senators read these articles, and I ask unanimous consent that

they be printed in the RECORD at the conclusion of my remarks. They were written by Mrs. Flora Lewis of Newsday, Mr. Murray Marder and Mr. Robert G. Kaiser of the Washington Post, and Mr. James Doyle of the Washington Evening Star.

On Saturday, Mr. Tad Szulc of the New York Times reported that "administration sources" had acknowledged the substance of the earlier stories, including the fact that the Embassy had delayed from December 22 to February 7 in intervening with the Thieu regime regarding the Chau case. I ask unanimous consent that Mr. Szulc's article also be printed in the RECORD.

The more we have learned about the Chau case the more deplorable and significant it becomes. I would hope that the administration and the Senate would give serious thought to the implication of the case as presented in the articles mentioned.

Our Embassy in Saigon appears to have misread and misinterpreted President Thieu's motives at every point in the Chau affair. At no time does the Embassy appear to have concerned itself with the substance of the case. Instead, the Embassy seems to have been obsessed with appearances and the maintenance—at any price—of good relations with the Thieu regime.

One may well ask, toward what end are we so solicitous of Thieu? He has corrupted the constitution we are supposed to be defending and he is prosecuting an anti-Communist Vietnamese nationalist for espousing views on ending the war which appear to be closer to President Nixon's than President Thieu's are. Perhaps this is the answer. If it is, how great a veto power does the administration intend to give President Thieu over matters affecting how the war is to be ended? What price do we pay to maintain Thieu in power? It is time this was made clear to Congress and to the American people.

It still may not be too late for the administration to salvage something from the Chau affair. The Vietnamese Supreme Court has already ruled that the original petition used to prosecute Chau was illegal.

Appeals on two other critical points in the case are still before the court. If the court also rules against the government on these remaining points there will no longer be any vestige of legality in Thieu's actions. Should the court rule against Thieu but refrain from ordering Chau's release out of fear of a direct confrontation, it will not detract from the fact that Thieu has acted illegally throughout.

The U.S. Government has every right to tell President Thieu that we expect him to observe all the provisions of the Vietnamese constitution, not just those which he chooses to observe. If it should be argued that this would constitute unwarranted intervention in Vietnamese internal affairs, then it would follow that there is no basis whatsoever for our involvement in every other aspect of Vietnamese internal administration.

We are told that the war in Vietnam is being fought to allow the Vietnamese people the opportunity to determine their

own future. Presumably this implies that they should have the protection of a political system which guarantees individual rights and political freedoms.

In this respect I would mention a very pertinent statement, reported in the March 27 New York Times, made in the course of the court martial proceedings of a young American Army officer accused of murdering a Vietnamese civilian. According to the Times, the assistant trial counsel said:

What the hell are we fighting for here anyway? . . . We are fighting so that the people here can have the same rights we do—so that a man cannot be tried, sentenced, and executed by one other man. If we didn't believe these principles we wouldn't be here.

The parallel to the case of Tran Ngoc Chau is obvious.

Finally, there is the matter of official acknowledgement of our Government's prior dealings with Chau. In a press conference following Chau's trial, a minister of Thieu's government had the temerity to say that prosecution might have been averted if the Embassy had confirmed its relationship with Mr. Chau. While I would not believe this for a minute, there is no reason why the public record should not be set straight. The embassy and the Thieu regime already know the truth of the matter.

The PRESIDING OFFICER. Is there objection to the unanimous consent requests of the Senator from Arkansas?

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 27, 1970]
OFFICIALS SAY BUNKER DELAYED CHAU PLEA
(By Tad Szulc)

WASHINGTON, March 26.—Administration officials acknowledged today that despite instructions from the State Department, Ellsworth Bunker, the United States Ambassador in Saigon, had delayed in pressing for dismissal of criminal charges against Tran Ngoc Chau.

Mr. Chau, a member of the National Assembly, was sentenced on March 5 to 10 years at hard labor on charges of maintaining contacts with North Vietnam through his brother, Capt. Tran Ngou Hien, who was sentenced last year as a spy for North Vietnam.

In response to questions, Administration officials confirmed reports from congressional sources that Under Secretary of State Elliot L. Richardson sent cablegrams to Mr. Bunker last Dec. 22 and again on Feb. 7 instructing him to intervene directly with President Nguyen Van Thieu to urge him to drop the charges against M. Chau. The deputy had supplied to United States Embassy and intelligence officials, information on Communist intentions.

The officials also conceded that Mr. Bunker took up Mr. Chau's case with President Thieu on Feb. 10, after criminal proceedings had already begun in a Saigon military court. Mr. Chau contended in his trial that his meetings with his brother had taken place with the knowledge and backing of the United States Embassy.

EARLIER REPORTS

A detailed article on Mr. Bunker's position, and on the reported dispatch of the two cablegrams from Mr. Richardson to Mr. Bunker in Saigon, appeared today in The Washington Star.

Earlier this week, Flora Lewis, a syndicated columnist, wrote that Mr. Bunker, acting to protect President Thieu, had suggested mak-

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ing a public statement denying that any American ambassador had been involved in Mr. Chau's meetings with his brother.

The State Department, Miss Lewis wrote, ordered Mr. Bunker not to do so because such a statement would have conflicted with secret testimony given by John Vann, head of the United States pacification program in the Mekong Delta, in a Senate Foreign Relations Committee hearing.

The State Department's spokesman, Robert J. McCloskey, refused today for the second day in a row to comment on any aspect of the Chau case and the role the United States may have played or attempted to play in it.

Under questioning, Mr. McCloskey said that "it is our decision not to comment." He refused further elaboration.

Senator J. W. Fulbright of Arkansas, chairman of the Foreign Relations Committee, has denounced Mr. Chau's arrest and trial as persecution. Mr. Fulbright indicated on Feb. 5 that the United States Embassy in Saigon was disregarding Washington's instructions to intervene in the deputy's behalf.

Officials indicated today that Mr. Bunker's apparent failure to act according to his instructions included softening in talks with Vietnamese officials the Nixon's Administration's expressions of concern over the implications of the Chau trial.

It was reported that Mr. Bunker told the State Department that in his Feb. 10 meeting with President Thieu he had confined himself to the comment that the Congress and the press in the United States were upset over the trial.

It was also reported that Mr. Bunker had delegated the task of discussing the Chau case with South Vietnamese authorities to middle-level officials in the embassy despite Mr. Richardson's cable on Dec. 22 instructing him to handle the matter personally. It was only after Mr. Richardson's second cable, on Feb. 7, that Mr. Bunker arranged to see President Thieu on the case, the officials said.

It could not be ascertained today whether Mr. Richardson's instructions to Mr. Bunker included recommendations that the South Vietnamese Government be informed by the Mr. Chau had maintained close contacts with high diplomatic and intelligence officials at the American mission in Saigon.

The day after Mr. Chau was sentenced, the liaison minister with the National Assembly, Cao Van Tueng, said then that prosecution might have been averted if the United States Embassy had confirmed publicly that Mr. Chau had worked with the Central Intelligence Agency.

[From the Washington Post, Mar. 26, 1970]
U.S. SILENT ON BUNKER'S ROLE IN VIETNAMESE SPY CASE

(By Murrey Marder)

The State Department refused yesterday to discuss reports that Ellsworth Bunker, ambassador to Saigon, frustrated American intercession in South Vietnam's Tran Ngoc Chau case.

Chau, once a favorite of U.S. officials in Vietnam, was sentenced to 10 years in prison earlier this month for pro-Communist activity.

His prosecution is regarded by many U.S. sources as a calculated warning to South Vietnamese against private contacts with Americans, and a warning to those who favor broadening the Saigon government in order to seek a compromise settlement of the war.

What is really at issue, these sources contend, is Saigon's determination to gain veto power over any war settlement.

Apparent support for these suspicions came in another set of spy charges in Saigon last week. South Vietnamese police displayed a photo showing an alleged spy, Bui Van Sac, talking to an American official identified as Harold Colebaugh, former political officer at the U.S. Embassy.

DEFENDANT'S STORY

In the first case, against Chau, the defendant claimed at his military trial that he kept U.S. officials informed of his contacts with his brother, a confessed North Vietnamese secret agent.

Several U.S. sources have confirmed these contacts, including John Paul Vann now a senior pacification official in Vietnam. Vann, now a senior pacification before the Senate Foreign Relations Committee last month about his association with Chau.

The American Embassy, to the private chagrin of many of Chau's American friends, remained publicly silent about the Chau case, however. Chau bitterly protested that he was being sacrificed by the U.S. government to avoid offending South Vietnamese President Nguyen Van Thieu, who was determined to convict him.

In the subsequent spy case involving Bui Van Sac, however, the U.S. Embassy evidently regarded the implication about American contacts to be so blatant that embassy officials felt compelled to speak out.

In defense of Colebaugh's contacts with Sac, the embassy said last Sunday that Colebaugh and other U.S. officials had met with Sac "in connection with carrying out their official responsibilities."

BUNKER ACCUSED

Ambassador Bunker, in a published report yesterday, was charged with "misinforming" Washington about the Chau case. Flora Lewis, columnist for Newsday, reported that Bunker, one of President Thieu's strongest supporters, had planned to issue a statement intended to disassociate the American Embassy from Chau.

Bunker, Miss Lewis reported, planned to say publicly that "no American ambassador directly or through any intermediary suggested or encouraged Mr. Chau to initiate or continue his contacts with Capt. Hien" (Capt. Tran Ngoc Hien, the Hanoi agent and Chau's brother).

The State Department, Miss Lewis reported, advised Bunker not to issue the statement because it would conflict with testimony given by Vann at the Senate Foreign Relations Committee hearing.

Other sources said yesterday that the Bunker statement was carefully phrased to be technically accurate, but it would have exposed the Nixon administration to questioning of its credibility.

These sources said no one had claimed, as the Bunker statement denied, that an "American ambassador" had "suggested or initiated" Chau's contacts with Hien. Chau instead was said to have kept officials informed of the contacts and was also credited with helping alert U.S. officials to a Communist threat to Saigon, which later turned out to be the Tet offensive of early 1968.

State Department press officer Carl E. Barch said yesterday, "I will have no comment on that matter," declining to discuss the Chau case, the Lewis report or any other aspect of the affair.

President Nixon was asked about the Chau case on Saturday during his impromptu news conference. He replied that "this was a matter which Ambassador Bunker has discussed with President Thieu" but it "would not be appropriate" to say anything further.

[From the Washington Post, Mar. 26, 1970]

COURT FINDS ILLEGALITY IN CHAU CASE

(By Robert G. Kaiser)

SAIGON, March 25.—The South Vietnamese Supreme Court ruled today that a House petition originally used to allow prosecution of Deputy Tran Ngoc Chau was unconstitutional. But the decision is not expected to have any effect on Chau's conviction and ten-year prison sentence.

The petition was allegedly signed by 102 deputies of the House of Representatives—exactly three-fourths of the membership.

The government claimed that this authorized prosecution of Chau on charges of helping the Communists, despite Chau's parliamentary immunity.

The constitution says that a member of the National Assembly can be prosecuted with the approval of three-fourths of his colleagues. But the Supreme Court ruled today that this sentiment had to be expressed in a floor vote, not a petition.

But the government may have seen this decision coming. For when Chau came to trial before a military court the prosecution had abandoned the petition and found a new basis for its case.

The prosecution said Chau had been caught "in flagrante delicto," or in the act of helping the Communists. The constitution says a National Assemblyman caught in the act can be prosecuted regardless of the sentiments of his colleagues.

The evidence against Chau came from statements by his brother, a confessed North Vietnamese spy. Chau's lawyers have noted that Chau was not accused of any crime for many months after his brother gave his statements, which in turn came a year or more after the allegedly incriminating acts—conversations Chau had with his brother.

How, the lawyers have asked, could the government say Chau was caught in the act?

The Supreme Court has been asked to rule on that question. It has also been asked to pass on the legality of the special military court that tried Chau. The constitution says all such special courts should have been abolished by last fall.

[From the Washington Star, Mar. 26, 1970]

IN SAIGON, BUNKER'S IN THE MIDDLE

(By James Doyle)

A ruling yesterday by the South Vietnamese Supreme Court has placed American Ambassador Ellsworth Bunker squarely in the middle between the Thieu regime and the State Department.

The court, which has shown some independence from President Nguyen Van Thieu, ruled that the arrest of Assemblyman Tran Ngoc Chau was carried out in an unconstitutional manner.

The ruling lent support to the heavy pressure that has emanated from lower levels of the American Embassy, and higher levels of the U.S. government here, to see that Chau is freed from his sentence of 10 years at hard labor on charges of aiding the enemy.

In a cable to his superiors some weeks ago, Bunker defended the South Vietnamese government action in prosecuting Chau and suggested that judgment against it be suspended until Saigon's Supreme Court ruled on the constitutionality of Chau's arrest.

Chau is a former army colonel and province chief who was in communication with his brother frequently in Saigon, although his brother was an agent of North Vietnamese government.

Aside from the fact that a number of the South Vietnamese government have family members fighting on the other side, Chau's case has caused much criticism for the other reasons.

He painstakingly passed on to the U.S. government information he gained from conversations with his brother.

And at one point, in 1966, he undertook to set up a meeting between his brother and then U.S. Ambassador Henry Cabot Lodge, with the knowledge and cooperation of the American Embassy. Before the Paris peace talks, this kind of contact with North Vietnam was sought.

The 1966 meeting never came off because Lodge wanted to send a lower official and Chau's brother, North Vietnamese Captain Tran Ngoc Hien, refused to meet with anyone except the ambassador.

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But agents of the Central Intelligence Agency and members of the U.S. mission in Saigon knew about Chau's dealings with his brother, and implicitly approved.

In fact, Chau's recommendations before the Tet offensive of 1968 were taken most seriously by some military and civilian officials, and turned out to be a proper response to the North Vietnamese tactics that subsequently came during Tet.

The Chau case has caused great anxiety in U.S. diplomatic circles—especially suggestions that Bunker is responsible for not heading off Chau's prosecution.

Bunker received a cable from Undersecretary of State Elliot L. Richardson on Dec. 22 instructing him to do whatever necessary to convince President Thieu that the U.S. wanted the Chau case squashed.

The cable said that lower level members of the government knew Chau and considered him loyal to South Vietnam and an invaluable aid to the United States.

Beyond that, Richardson said, high level government officials were concerned that an adverse press reaction to Chau's trial would hurt support for Nixon's Vietnam policy.

The cable pointed out that Chau's background was well known in the United States, and any attempt to imprison him for aiding the enemy would be viewed as unjust.

BUNKER'S DECISION

Bunker was told to "leave no doubt of our concern in the mind of President Thieu," and to point out that prosecuting Chau would be harmful to United States' interest.

The ambassador chose not to see Thieu himself, but to have the instructions from Washington handled on a lower level in a very low-key manner. He reported back to Washington assurances that Chau would not be imprisoned, but that he might be prosecuted "in absentia" for seeing his brother.

Despite the fact that President Nixon has said he would accept a coalition government in Saigon if it were the peoples' wish, Bunker also cabled the State Department that they should understand that Chau was guilty of a crime under South Vietnamese law because he had advocated a coalition government.

In fact, say Chau's supporters, he never advocated allowing Communists to serve in the cabinet but only to allow an accommodation of members of the National Liberation Front on the province level through negotiations. Presidential adviser Henry A. Kissinger has advocated the same thing in published articles.

A DINNER PARTY REMARK

There are various theories on why Bunker decided to downplay the State Department's cabled wishes in the Chau case. But one clue came at a Saigon dinner party in early December, before the cable traffic started to flow on Chau.

Bunker told his guests that night in early December that he had "irrefutable proof" that Chau was a Communist.

Among those present who heard the remark were Dong Van Sung, leader of the government bloc in the South Vietnamese Senate and a strong anti-Communist.

Also on hand was a staff member of the National Security Council during the Johnson administration and the early Nixon administration, Richard Moos, who was in Saigon on a fact-finding trip for the Senate Foreign Relations Committee, confirmed today that he had heard Bunker make the remark, and that Sung heard it too.

It was after this that Thieu began a concerted move against Chau, and Bunker began to downplay the cables from Washington.

No member of the Vietnam action group at the State Department professes to believe that Chau is a Communist. No other

member of the U.S. Embassy in Saigon has ever suggested it. Many in both groups have said, on the contrary, that Chau is not a Communist.

Bunker has never charged it in writing or within official channels, and he has never disclosed his "irrefutable proof."

THIEU'S REASON

The suspicion of Chau as a Communist is not really an issue in the case. Thieu has said that he found it necessary to prosecute Chau not because he suspected he was a "Communist." (In fact, Thieu and Chau are old friends and former roommates during military service together.)

Thieu told Bunker he had to prosecute Chau so that his constituency, the generals and other strong anti-Communists, would not think he was wavering or in any way showing sympathy to the idea of coalition government.

The more accepted analysis at the State Department is that Thieu has succeeded in removing from the National Assembly for political accommodation with the enemy at the province level, and for negotiations between North and South.

"The real significance of this case is a theory of government for South Vietnam," said one official.

This point has been recognized, apparently, at lower levels of the State Department and the Saigon Embassy. There is said to be a minor rebellion going on at both places over Bunker's unwillingness to rescue Chau from Thieu's grips.

At higher levels, the fear seems to be more one of public relations. This has been expressed in cables signed by Rogers and Richardson. And Kissinger, who takes an active interest in all foreign policy matters that he deems important, has viewed the Chau case "with sympathy, from a distance," according to one source.

There is still another aspect of the case which some members of both the Senate and the State Department have found disturbing: Reports from low level officials get reversed in meaning before they reach high officials here.

BUNKER'S NEW ORDER

Even as Ambassador Bunker was assuring Washington that Chau would not be imprisoned, he was getting reports from his own subordinates indicating that there seemed a strong likelihood that Thieu was planning to stage demonstrations against the assemblyman, and to coerce three quarters of the assembly to sign a petition removing Chau's immunity from arrest.

Finally, on Feb. 7, Richardson cabled Bunker reminding him of the Dec. 22 cable and saying it was now imperative that Bunker speak to Thieu directly and convey the strong dissent of the United States government.

Richardson instructed Bunker to try to get the charges dropped, and if he could not to press for a trial in a civilian court and to get Thieu's agreement that there be no imprisonment even if Chau were found guilty.

Bunker saw Thieu Feb. 10, at which time Thieu informed him the case was already before a military court and the decision was irreversible.

By his own account, Bunker did not express the deep concern of his superiors, but told Thieu only the U.S. press and the Congress were upset.

Bunker added that it was his own opinion that the charges alone had ruined Chau's political career and there was no need to make him a martyr by imprisoning him.

In Bunker's remarks, as he recounted them to the State Department, there was no indication of concern over the issue of a need for broad based support of the South Vietnamese government. The tone, which the State Department seems to have assented to, was one of simple support for a government

of our own creation in what was deemed a minor embarrassment.

CANCELING A DENIAL

One mystifying element in all of this is the fact that the embassy never informed the South Vietnamese that Chau was on the closest terms with a number of officials in the embassy.

In fact, Bunker at one point cabled Washington that he planned to deny that Chau had American approval in setting up a meeting between his Communist brother and Ambassador Lodge.

The department hurriedly cabled back that another official, John Paul Vann, the top civilian in the Mekong Delta, had told the Senate Foreign Relations Committee the whole story of the attempted meeting in a private session last month.

Vann had been a close contact of Chau's when Lodge was ambassador, and had introduced Chau to other high-level Americans. He also kept Bunker fully informed of his dealings with Chau.

In September 1967, Chau presided at a briefing for Vann, Ambassador Bunker, his first assistant, Deputy Ambassador Samuel Berger, and the commanding general of the U.S. forces around Saigon, Frederick C. Weyand.

Chau forcefully argued that the so-called "blue areas" on the pacification maps, the big cities and population centers that were listed as secure, needed much more military protection against the possibility of wide scale attacks by the North Vietnamese.

Weyand was said to have been very impressed, possibly because Chau was in constant contact with his brother at this time.

General William C. Westmoreland, then commander of U.S. troops in Vietnam and Deputy Ambassador Robert Komer were at this time publicly boasting about the extent of the secure area, and seeking to push their efforts further and further from the cities.

STRATEGY WORKED

Weyand persuaded Westmoreland to let him concentrate his troops closer to Saigon. As a result, the Communists were unable at Tet to interdict the runways at the two major airports near Saigon and troop airlifts from these spots not only held the major southern cities, but sped reinforcements to the northern areas as well.

A marine general at the time told a reporter that if Tan Son Nhut and Bien Hoa airports had been overrun, many major cities would have fallen within a few days after Tet.

This alone seemed reason enough to support Chau against Thieu's attacks, but there was no such support.

President Nixon was asked about it at his new conference Saturday, and said that it had been the subject of discussion between Bunker and Thieu.

[From Newsday, Mar. 24, 1970]

U.S. DECEPTION IN SAIGON

(By Flora Lewis)

(Editor: Flora Lewis reports exclusively that U.S. Ambassador to Saigon Ellsworth Bunker misinformed Washington about developments surrounding the arrest of a South Vietnamese lawbreaker. She explains its considerable significance to U.S. relations with the Thieu government.)

New York.—A recent series of cables between the State Department and U.S. Ambassador Ellsworth Bunker in Saigon indicates that Bunker is, to say the least, misinforming Washington and that Washington knows it.

The situation has come to a head over the case of Tran Ngoc Chau, a Vietnamese assemblyman who was tried and sentenced to 10 years at hard labor on a charge of being in touch with a Hanoi agent. Chau testified at his trial that the contacts were made with

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the knowledge and backing of the U.S. Embassy. But the U.S. has never commented publicly, one way or the other.

The Chau case is of the greatest importance because its implications are central to U.S. relations to the government of President Thieu, and to the question of whether or not Thieu has the power to veto any efforts to negotiate a Vietnam settlement with Hanoi. It reflects Thieu's efforts to manipulate the U.S. and his own people into a box, without challenge from the U.S. ambassador.

The cables show that Bunker proposed to make a public statement after Chau, whose trial Washington asked him to prevent, had been convicted. Bunker told State that Chau's testimony was "false and misleading" and that he planned to say publicly that "No American Ambassador directly or through any intermediary suggested or encouraged Mr. Chau to initiate or continue his contacts with Capt. Hien." (Capt. Tran Ngoc Hien, the Hanoi agent, is Chau's brother. He was arrested last April and is now jailed in Saigon.)

The Department told Bunker not to say anything of the sort because it was "in conflict" with testimony given to a secret hearing of the Senate Foreign Relations Committee last month by John Vann, top U.S. civilian official in the Mekong Delta region, and thus would provoke awkward questions.

That was a diplomatic way of saying the Department knew Bunker's proposed comment was untrue, and was aware that Bunker also knew it was untrue.

Bunker wanted to include in his statement that Chau "on several occasions in conversations with American officials associated with him in the pacification program made veiled references to an important political cadre from Hanoi with whom he was in contact."

But Vann testified to the Senate committee that he received detailed descriptions from Chau of his brother and their relationship and how the Americans might contact Capt. Hien directly, if they chose. That was at a meeting in July, 1966.

Vann sought to arrange a meeting between Hien and then U.S. Ambassadors Lodge or Porter. But Lodge finally decided against it and authorized Vann to talk to the agent. That talk never took place because Hien answered Vann's request, sent through Chau, that he would see the men at the top, or no American official at all.

Vann's testimony made clear that Chau acted with the encouragement and backing of the U.S.

The record also shows that Chau played an important role in what became U.S. strategy before the 1968 Tet offensive, which may have prevented the fall of Saigon and a communist victory at that time.

Chau gave a long briefing on his understanding of coming events of Ambassadors Bunker and Samuel Berger, Lt. Gen. Frederick C. Weyand, Vann and others in September, 1967. Bunker does not deny this session.

Chau had learned from his brothers that the Vietcong planned big attacks on populated areas, although he did not have precise information about the timing and place of the Tet offensive. Nonetheless, on the basis of his knowledge of the situation, he urged the U.S. to strengthen defenses of those areas instead of shifting most of its forces out to border regions.

Chau's combination of information and reasoning convinced Vann and Gen. Weyand, the commander of the III Corps area which includes Saigon. Weyand then urged the strategy on Gen. Westmoreland, then U.S. commander in South Vietnam.

That was in November, 1967. Westmoreland, who in that period announced that the war was nearly won, had issued orders

to move the great bulk of U.S. forces in III Corps to the border provinces in pursuit of what he believed was a disintegrating enemy. The shift was to take place by January 1, 1968.

Weyand argued intensely against that strategy and finally won from Westmoreland a compromise delaying the movement for 6 months. At that time, the enemy was provoking battles near the border, notably at Dak Tho and Loc Minh, which with hindsight can be seen as an effort to draw U.S. troops away from the capital in preparation for the Tet attacks. The big Tet offensive came at the end of January.

Some top Americans who were in Vietnam at that time are convinced that if Westmoreland's orders had not been challenged, the big airports at Saigon and nearby Bien Hoa could have been overrun, preventing reinforcements and thus possibly leading to the loss of the Vietnamese capital.

President Thieu's government, in the course of the prosecution of Chau, has issued statements that it was unaware of Chau's connection with the Americans. (Vann testified to the contrary.)

Another official statement was made on Feb. 22, the day before attempts began to arrest Chau. It charged that the U.S. was in collusion with the Vietcong at the time of the Tet offensive and deliberately removed the South Vietnamese army's ammunition to weaken its defenses at the time of the attack.

American Vietnam experts interpreted this as a warning from Thieu to the Embassy against supporting Chau, lest it give credence to this outrageous lie. The statement was made by Thieu's special assistant Nguyen Van Thang, whose position with Thieu is often compared to Henry Kissinger's role in the Nixon administration. The charge was repeated by prosecutor and judge in the public trial.

Bunker asked Thieu about it, reporting to Washington, "I said I was frankly amazed. Everybody knows about Chau's efforts to involve the U.S. in this case. Now the court seems to have fallen in the same trap." He accepted Thieu's bland denial of any involvement.

In the period before Chau's trial, Bunker kept relaying without comment South Vietnamese assurances that Chau would not be prosecuted, although the preparations for his arrest were public knowledge. Bunker repeatedly told Washington, which asked him to head off the trial, that everything was being done according to due process and strict legality. At the same time, however, his Embassy was reporting that Thieu's agents were bribing many deputies to remove Chau's parliamentary immunity and secretly organizing and paying for demonstrations against Chau.

Bunker, whose cables are read by top officials, took no note of these embassy reports which often contained a contradictory version of the facts to the State Department.

The case has caused immense concern among American officials below the top level in both Saigon and Washington, partly because they know and respect Chau and feel the U.S. has betrayed his trust, partly because they think Thieu's intricate maneuvering in this case has put him in a position to block any real efforts to negotiate a peace.

The U.S. still has issued no formal comment on the case, nor permitted release of Vann's testimony, presumably because it would be too embarrassing to appear to confirm Thieu's back-handed charges that the U.S. had secret dealings with the communists, and that they affected defenses during Tet.

Vann also testified that, despite Thieu's disclaimers, the South Vietnamese government was informed about Chau and the whole affair in July 1969. Vann himself told South Vietnamese Prime Minister Khiem

about it at that time, on the authorization of his superiors in the U.S. establishment in Saigon.

Bunker's cables ignore all this and protest instead at Chau being represented in the U.S. press as a "patriotic nationalist." He told the State Department that Chau had called for a coalition government, which is a crime in South Vietnam although President Nixon has said he would not oppose such a government.

The record shows, however, that Chau has publicly opposed admitting communists in the government, though he favors negotiations, a cease-fire, and the communists' right to participate in elected bodies such as the National Assembly.

Bunker, 75, is a traditional type of New England Yankee with a record of high personal integrity. However, it was he who picked Thieu as America's favorite candidate for presidency and, in effect, created the Thieu government. He is deeply committed to its maintenance in power.

The upshot of all this pettiggogery has been, as one Saigon Embassy cable reported, to "defame the U.S."

It also indicates that Thieu is working to prevent the U.S. as well as any South Vietnamese from being able to negotiate a settlement to the war, which Nixon has said is the first aim of his Vietnam policy. So far, Thieu is getting away with it and Bunker is justifying him to Washington.

VA MEDICAL CARE

Mr. DOLE, Mr. President, recently the President signed legislation that raises pay for those who are taking training under the GI bill and other educational programs administered by the Veterans' Administration.

More than 777,000 persons currently taking training will benefit and countless thousands of others to come will have added incentive to claim the valuable educational rights they have earned. I can think of no better way to invest our resources, in terms of benefit to the veteran and his dependents and the good that will come to the Nation.

Now the President has taken action on another front that recognizes in a material way the great and continuing obligation that we have to the veterans of our armed services.

He has announced his approval of an increase of \$50 million in the Veterans' Administration's medical care budget request for fiscal year 1971. He has also authorized VA to seek from Congress an additional appropriation of \$15 million for the remainder of this fiscal year.

These requests if granted will go a long way toward improving medical care for all veterans and are of special significance, I think, because they will provide financial surety that programs of treatment for men returning from Vietnam are the best that the American people can supply.

I am certain that the addition of these funds will have the approval of this body—and I am equally certain that all citizens look with favor on whatever expenditures are required to help restore and sustain the health of those who serve and have served in this cruel and lonely war.

Aside from the surface humanitarian aspects of these requests, however, there is a great deal more to consider. Like the additional money to be spent on the GI

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FOREIGN AMBASSADORS ACCREDITED TO THE UNITED STATES, 1967—FEB. 3, 1970

Country	Name of ambassador	Date of arrival Washington	Presentation of credentials	Country	Name of ambassador	Date of arrival Washington	Presentation of credentials
Haiti.....	Arthur Bonhomme.....	Dec. 31, 1966	Jan. 13, 1967	Mauritius.....	Pierre Guy Giral Balancy.....	July 5, 1968	July 17, 1968
Colombia.....	Hernan Echavarria.....	Jan. 5, 1967	Do.	Costa Rica.....	Luis Demetrio Tinoco.....	July 21, 1968	Aug. 22, 1968
Indonesia.....	Suwito Kusumowidagdo.....	do.	Do.	Swaziland.....	Dr. S. T. Msindazwe Sukati.....	Sept. 4, 1968	Sept. 18, 1968
Turkey.....	Melih Esenbel.....	Jan. 6, 1967	Do.	Chad.....	Lazare Massibe.....	Sept. 13, 1968	Sept. 26, 1968
Vietnam.....	Bui Diem.....	Jan. 16, 1967	Jan. 19, 1967	Hungary.....	Janos Nagy.....	Sept. 26, 1968	Oct. 7, 1968
Malta.....	Dr. Arvid Pardo.....	Jan. 25, 1967	Feb. 7, 1967	Ethiopia.....	Dr. Minasse Haile.....	Oct. 11, 1968	Oct. 31, 1968
Yemen Arab Republic.....	Abdulaziz Al-Futaih.....	Jan. 30, 1967	Do.	Argentina.....	Dr. Eduardo Alejandro Roca.....	Oct. 18, 1968	Do.
Sierra Leone.....	Christopher O. E. Cole.....	Feb. 13, 1967	Do.	Lebanon.....	Najati Kabbani.....	Oct. 24, 1968	Nov. 12, 1968
Afghanistan.....	Abullah Malikiyar.....	Mar. 13, 1967	Mar. 17, 1967	Peru.....	Fernando Berckmeyer.....	Nov. 24, 1968	Jan. 1, 1969
Singapore.....	Dr. Wong Lin Ken.....	do.	Do.	Tanzania.....	Gosbert M. Rutabanzibwa.....	Dec. 6, 1968	Jan. 3, 1969
Zambia.....	Rupiah Banda.....	Apr. 1, 1967	Apr. 7, 1967	Colombia.....	Misael Pastrana Borrero.....	Jan. 4, 1969	Jan. 17, 1969
Burundi.....	Terence Nsanze.....	Apr. 30, 1967	May 10, 1967	Singapore.....	Dr. Ernest Steven Monteiro.....	Jan. 18, 1969	Jan. 31, 1969
Dahomey.....	Maxime-Leopold Zollner.....	May 1, 1967	Do.	Germany.....	Rolf Pauls.....	Jan. 12, 1969	Do.
Morocco.....	Ahmed Osman.....	May 4, 1967	Do.	Uruguay.....	Dr. Hector Luisi.....	Jan. 22, 1969	Do.
Iran.....	Hushang Ansary.....	May 15, 1967	May 26, 1967	Panama.....	Roberto Aleman.....	Jan. 2, 1969	Feb. 21, 1969
New Zealand.....	Frank Corner.....	June 11, 1967	June 14, 1967	Brazil.....	Mario Gibson Barboza.....	Feb. 6, 1969	Do.
Italy.....	Egidio Ortona.....	do.	Do.	Great Britain.....	The Right Hon. John Freeman.....	Mar. 3, 1969	Mar. 17, 1969
Japan.....	Takeso Shimoda.....	June 20, 1967	June 28, 1967	Botswana.....	Chief Linchwe II Molefi Kgafela.....	Mar. 4, 1969	Apr. 17, 1969
Togo.....	Dr. Alexandre Ohin.....	June 13, 1967	July 27, 1967	Nepal.....	Kul Shekhar Sharma.....	Mar. 18, 1969	Do.
Romania.....	Corneliu Bogdan.....	July 13, 1967	Do.	Philippines.....	Ernesto V. Lagdameo.....	Mar. 22, 1969	Do.
Jordan.....	Abdul Hamid Sharaf.....	Aug. 15, 1967	Aug. 30, 1967	Lesotho.....	Mothusi Thamsanga Mashologu.....	Apr. 8, 1969	Do.
Yugoslavia.....	Bogdan Crnobrnja.....	Aug. 19, 1967	Do.	Guinea.....	Fadiala Keita.....	Apr. 17, 1969	May 6, 1969
Jamaica.....	Egerton R. Richardson.....	Aug. 20, 1967	Sept. 12, 1967	Kenya.....	Leonard Oliver Kibinge.....	Apr. 24, 1969	Do.
Poland.....	Jerzy Michalowski.....	Aug. 21, 1967	Do.	Austria.....	Dr. Karl Gruber.....	June 9, 1969	July 1, 1969
Ecuador.....	Carlos Mantilla-Ortega.....	Aug. 28, 1967	Do.	Dominican Republic.....	Dr. Mario Read-Vittini.....	July 10, 1969	Oct. 2, 1969
Greece.....	Christian Xanthopoulos-Palamas.....	Sept. 14, 1967	Do.	Sierra Leone.....	John J. Akar.....	July 15, 1969	Do.
Malawi.....	Nyemba Wales Mbekeani.....	Sept. 26, 1967	Oct. 9, 1967	Venezuela.....	Julio Sosa-Rodriguez.....	Aug. 1, 1969	Do.
Ghana.....	Ebenezer Moses Debrah.....	Oct. 30, 1967	Nov. 9, 1967	Rwanda.....	Fidele Nkundabagenzi.....	Aug. 16, 1969	Do.
Korea.....	Dong Jo Kim.....	Nov. 22, 1967	Jan. 19, 1968	Luxembourg.....	Jean Wagner.....	Sept. 2, 1969	Do.
Gabon.....	Leonard Athakora Badinga.....	Dec. 11, 1967	Do.	Barbados.....	Valerie T. McComie.....	Aug. 28, 1969	Oct. 10, 1969
Thailand.....	Bunchana Athakorn.....	Jan. 12, 1968	Do.	Thailand.....	Sunthorn Hongladarom.....	Sept. 9, 1969	Do.
Sierra Leone.....	Adesanya K. Hyde.....	Jan. 12, 1968	Do.	Congo.....	Justin-Marie Bomboko.....	Sept. 10, 1969	Do.
Maldives Islands.....	Abdul Sattar.....	Jan. 14, 1968	do.	Netherlands.....	Baron Bernhard van Lynden.....	Sept. 11, 1969	Do.
Somali Rep.....	Yusuf O. Azhari.....	do.	Mar. 5, 1968	Mali.....	Seydou Traore.....	Sept. 8, 1969	Do.
Israel.....	Major General Yitzhak Rabin.....	Feb. 19, 1968	do.	Iceland.....	Magnus V. Magnusson.....	Sept. 30, 1969	Oct. 16, 1969
Nigeria.....	Joseph T. F. Iyalla.....	Feb. 20, 1968	do.	Czechoslovakia.....	Dr. Ivan Rohal Ilkirt.....	Oct. 5, 1969	Do.
Panama.....	Jorge T. Velasquez.....	Feb. 25, 1968	do.	Iran.....	Amir-Asian Afshar.....	Oct. 6, 1969	Do.
India.....	Nawab Ali Yavar Jung.....	Feb. 26, 1968	do.	Greece.....	Bash George Vitsaxis.....	Nov. 8, 1969	Nov. 18, 1969
El Salvador.....	Colone Julio A. Rivera.....	Jan. 20, 1968	Mar. 15, 1968	Belgium.....	Walter Loridan.....	Nov. 25, 1969	Dec. 18, 1969
Paraguay.....	Dr. Roque J. Avila.....	Mar. 4, 1968	Mar. 15, 1968	Tunisia.....	Slaheddine El-Goulli.....	Dec. 10, 1969	Do.
Philippines.....	Salvador P. Lopez.....	Apr. 5, 1968	Apr. 23, 1968	Zambia.....	Mathias Mainza Chona.....	Dec. 6, 1969	Feb. 3, 1970
Indonesia.....	Soedjatmoko.....	Apr. 25, 1968	May 7, 1968	Colombia.....	Dr. Douglas Botero-Boshell.....	Dec. 14, 1969	Do.
Senegal.....	Cheikh Ibrahima Fall.....	May 15, 1968	June 5, 1968	Gabon.....	Gaston Bouckat-Bou-Nziengui.....	Jan. 5, 1970	Do.
Burma.....	U. Hla Maung.....	June 15, 1968	June 27, 1968	Malagasy Republic.....	Jules Alphonse Razafimbahiny.....	Jan. 9, 1970	Do.
Chile.....	Domingo Santa Maria.....	June 28, 1968	July 1, 1968				

1 In Washington as Chargé.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Maine (Mr. MUSKIE) be recognized for not to exceed 10 minutes and that at the conclusion of his remarks the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ERA OF NEGOTIATIONS?—PART II

Mr. MUSKIE. Mr. President, I thank the distinguished majority leader for his consideration.

Mr. President, the day before yesterday the French Cabinet expressed its grave concern about the widening war in southeast Asia and urged an effort to negotiate a settlement in Indochina. Yesterday, the Paris Vietnam peace talks went through the motions of their 61st session with no meaningful response to the French proposal. Later reports in Washington indicate that the Nixon administration is cool to the French proposals. In short, Mr. President, while the

war in Vietnam continues and spills over in Laos and Cambodia, our Government offers no initiatives to bring about the "era of negotiation" and it is reluctant to respond to the initiatives of others.

One week ago, yesterday, Mr. President, I began a series of speeches in the Senate on the unanswered questions about U.S. policy in southeast Asia, particularly as those questions relate to the question of a negotiated settlement of the conflict in South Vietnam and the growing conflict in Laos and Cambodia. My questions were not answered, and I raise them again:

What is the administration trying to convey by the unfortunate symbolic protocol gap in Paris.

The administration has now allowed 133 days to go by—more than 30 percent of the time it has been in office—without replacing Ambassador Lodge with a representative of like rank. For more than 4 months, second-rank representation from the United States has led to second and third-rank representation from the Communists, and similar representation from Saigon. If this was to be the "era of negotiation," as President Nixon promised in his inaugural address, why is the administration downgrading the tools of diplomacy?

How does the administration propose to deal with the instability and conflict in Laos and Cambodia, which is directly related to the war in Vietnam?

The impossibility of ending the war by Vietnamization, which I have pointed out before, has been further underscored by events across South Vietnam's ill-defined

Western borders. In Laos, 67,000 North Vietnamese troops continue to operate, despite occasional countermoves and continuing U.S. air attacks. In Cambodia, upward of 40,000 North Vietnamese and Vietcong troops now appear to be involved, in the midst of growing evidence of the risk of civil war.

I do not think the American people will tolerate widened intervention by U.S. ground forces in these cross border areas. While the South Vietnamese are incapable of settling the situation, they may well succeed in dragging us in to protect them. Laos and Cambodia cannot be expected to deal militarily with the present instability by themselves.

It should be obvious to anyone familiar with Southeast Asian affairs that we ought to be trying to halt the new, dangerous, and wider conflict in Indochina by a negotiated agreement. There is considerable merit in the suggestion that the Geneva conference be reconvened to consider all aspects of the Southeast Asia situation. There are substantial reasons for exploring the French proposal. But until the United States shows, by the level of its representation and the extent of its initiative in Paris, that it is seriously interested in a negotiated settlement, even the possibility of a Geneva conference will go begging.

Mr. President, I ask again the questions I raised last week:

Is the administration so certain, in the face of some contrary evidence, that Hanoi's position in Paris is one of total intransigence? Even if the administra-

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tion is so convinced, does this mean it has no obligation to probe and to try? Does it believe the tough bargaining necessary to achieve a negotiated end to the war is not worth the time of a top-level appointment as our chief negotiator in Paris?

Has the administration written off negotiations? If not, what are the preconditions for resuming meaningful negotiations? Is it, in effect, asking North Vietnam to surrender?

Is the administration playing a game where the next move can be made only by the other side?

Have we given up the initiative toward peace to the other side?

So far, Mr. President, the President's avowed policy of negotiations while we Vietnamize the war has not led to meaningful negotiations and it has not ended the war. It has been carried out against the uncomfortable and threatening backdrop of a widening war. It has reached the point where there are serious reports of an effort to slowdown, or temporarily halt, the removal of U.S. troops for the next 6 months, in order to let our forces complete the pacification process in certain key areas in South Vietnam. How often have we heard similar requests in the past? How much longer will we talk of pacification in South Vietnam while the rest of Indochina goes up in smoke?

The fact is, Mr. President, that while we let the empty gestures at Paris go on—and yesterday was the 61st meeting—the war goes on, and spreads. The administration seems to be debating not how much faster we can withdraw, but how much slower. And we have allowed the Thieu-Ky regime to continue on the assumption that we will support them indefinitely. And, to add insult to injury, we have stood by silently while the Thieu regime jailed a South Vietnamese political leader who had been helpful to us. Mr. Chau's offense was alleged "neutralist" sentiments in contacting his brother, a North Vietnamese intelligence operative.

Remember, Mr. President, that this act was carried out by Mr. Thieu, who said last July 11:

There will be no reprisals or discrimination after the (promised free) elections.

Those words, which President Nixon halled, have a hollow ring, today.

Mr. President, what possible justification is there for this administration to refuse to speak out publicly in opposition to this action by the Thieu regime. The arrest and subsequent conviction of Chau without public protest on our part completely erodes the pretensions of the Saigon government of magnanimity toward its own people, unless they are all-out supporters of the Thieu-Ky administration.

Ambassador Bunker apparently did as he pleased on the case, in spite of State Department instructions. President Nixon has refused comment on this case. The State Department has refused comment. But questions will continue to be asked until there is a satisfactory response. We cannot and must not be subservient to the Saigon regime.

President Thieu's every word and action in recent months indicates that he places his trust in winning the war by force and not by negotiations. In his press conference at the beginning of the year Thieu predicted, as he has done many times before, that the Communist military effort in South Vietnam will collapse within 2 or 3 years. The war will fade away, he predicted, and he did not foresee progress at the Paris talks. It was in this same press conference that he warned that many years will be required to remove all U.S. troops from South Vietnam. Is President Thieu dictating our withdrawal timetable?

Is it this attitude, Mr. President, which accounts for the forays of South Vietnamese battalions into Cambodia in recent days as reported in the press? Does the administration condone such actions by our allies? If not, what is it doing to prevent the further spread of the conflict by these means?

Mr. President, I will continue to ask these questions until some meaningful answers are given, and our Government again makes a genuine and reasonable effort to obtain a negotiated settlement of this tragic conflict.

I ask unanimous consent that recent articles which have appeared in the press relating to the military request for delay in further U.S. troop withdrawals, to the South Vietnamese attacks against Cambodia, and to the Chau case be inserted in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

EVENTS PROVING OUT THESIS OF A SECOND INDOCHINA WAR

(By Stanley Karnow)

HONG KONG.—The late Bernard Fall, one of the wisest Western observers of Asia, insisted for years that the Vietnam conflict was actually a sequel to the struggle between the Communists and the French for supremacy over the entire Indochina peninsula that raged for a decade after World War II.

Therefore, Fall argued, the United States and its allies were really involved in what logically should have been termed the "Second Indochina War."

If that idea seemed somewhat esoteric before, it is now being proved prescient. For not only is the conflict spreading beyond Vietnam and Laos into Cambodia, but it is currently threatening to extend into Thailand as well.

The obvious danger in this growing turmoil is that President Nixon may feel compelled to escalate the American commitment to the region despite his repeated pledges to reduce the U.S. posture in the area.

Alternatively, however, there is the more hopeful possibility that the major powers may somehow sober up sufficiently to seek a multinational settlement for Southeast Asia in order to prevent an explosion that might ignite a world-wide catastrophe.

Thus the present situation may well be a turning-point that could lead, depending on the options taken, to either a wider war or a chance for peace. In short, it is a time of both hazards and opportunity.

Though climactic moments have a way of flaring into sudden headlines, a crisis is the gradual accumulation of events. So it has been in Indochina.

The conflict in Laos, a sideshow to the Vietnam theater, had long remained a minor affair because the contending forces there

tacitly respected the unwritten partition of the country worked out during the 1962 Geneva Conference.

But last summer, when Gen. Vang Pao's Meo guerrillas and their American advisers moved into the Plain of Jars, they violated the understanding that kept the balance in Laos.

The Communists predictably counter-attacked this winter and, in addition to reacting with increased air support for the government, the United States openly strengthened the Thai units that have covertly operated in Laos for years.

The entry of the Thai reinforcements has in turn provided the Chinese, who also have troops inside Laos and thousands more poised on the border, to warn that they "will not sit idly by"—a phrase reminiscent of the days before their "volunteers" poured into Korea.

Hence a spiral of irrational challenges and responses threatens to transform the primitive kingdom of Laos into a battlefield on which no side can possibly attain victory.

Meanwhile, the ouster of Prince Sihanouk has disrupted the fragile equilibrium that served to spare Cambodia from becoming actively engaged in the war.

Hardly was Sihanouk deposed than the South Vietnamese, evidently acting with the approval of the new Phnom Penh regime, hit Communist bases across the Cambodian frontier.

Apparently anticipating a larger American role in Cambodia, the Communists have already started to stir up trouble. They have called on Cambodians to overthrow Sihanouk's successors, and they are virtually certain to direct their own forces in the country against the Phnom Penh regime.

At the same time, from his asylum in Peking, the prince has cloaked the Communists in legitimacy by creating a government-in-exile and a "National Liberation Army" to fight "with other anti-imperialist peoples forces of fraternal countries."

And seizing Sihanouk's appeal, which they probably inspired, the Chinese and North Vietnamese are increasingly referring to the "struggles" in Vietnam, Laos and Cambodia as a single "struggle for Indochina." To a large extent, Communist strategy appears to be designed to create diversions to the Vietnam arena, where Hanoi's dreams of rapid success have been punctured.

Their references to a bigger conflict are also calculated to stimulate anti-war sentiment in the United States and, in the process, raise the pressure on the White House to accept their conditions for peace in the region.

But whatever their motives, the Communists are making it clear that they are prepared to expand the war over the artificial boundaries that separate the Indochinese states, and there is no reason to doubt their intentions.

In another forecast that has become significant, Bernard Fall confided to a friend not long before his tragic death in Vietnam that his knowledge of that country might eventually seem irrelevant if the conflict continued to escalate.

"I feel," he remarked, "like it is 1913, and I am an expert on Serbia who is about to be *depasser par les evenements*—outstripped by events."

[From the New York Times, Mar. 28, 1970]

U.S. IS SAID TO HAVE BLOCKED VISIT BY CHAU, THIEU FOE

(By Tad Szulc)

WASHINGTON.—The United States blocked a visit here by a South Vietnamese Deputy, Tran Ngoc Chau, last summer after the embassy in Saigon had advised that his trip would displease President Nguyen Van Thieu, authoritative quarters said here today.

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This decision by the State Department came according to highly placed informants, at the time when President Thieu began the pressure against Mr. Chau that led to his arrest and trial three weeks ago, when he was sentenced to 10 years at hard labor.

The charges against Mr. Chau in a Saigon military court were that he maintained illegal and criminal contacts with his brother, a North Vietnamese intelligence captain, Tran Ngou Hion, despite secret information conveyed to the Saigon Government by a high-ranking American official in July, 1969, that Mr. Chau had acted with the knowledge and approval of the United States Embassy and the Central Intelligence Agency.

FIRST MOVE LAST SUMMER

As reconstructed from Administration, Congressional and other sources here, the first effort by Mr. Chau's American friends to save him from prosecution by the Thieu regime, which regards him as a political foe, came last summer when it was first recognized that he was in danger of arrest and trial.

John Paul Vann, chief of the Rural Pacification Program in the Mekong Delta, testified at a closed session of the Senate Foreign Relations Committee last month that he had presented "in detail" the background of Mr. Chau's association with the United States Government at a meeting in July, 1969, with Tran Thien Khiem, who was then Deputy Premier and now is Premier.

Mr. Vann testified that he informed Mr. Khiem of Mr. Chau's status with the authorization of his immediate superior, the Deputy Ambassador, William P. Colby.

The United States Government has not, however, publicly conceded that Mr. Chau was acting in concert with American political and intelligence officials.

Mr. Vann's testimony before the senate foreign relations committee was heavily censored by the State Department and was returned to the committee this week pending a decision on its release.

BUNKER'S ROLE REPEALED

Mr. Vann's testimony, according to senatorial sources, also touched at length on the alleged delays by Ellsworth Bunker, the United States Ambassador in Saigon, carrying out instructions from the State Department to intervene in favor of Mr. Chau.

At about the time Mr. Vann conferred with the Deputy Premier, a number of Mr. Chau's American friends in South Vietnam arranged for him to visit the United States. But when Mr. Chau applied for a visa, he was refused one. Informants here said this was done on Mr. Bunker's recommendation, based on the belief that President Thieu would resent Mr. Chau's departure.

Mr. Chau's concern was communicated to Senator J. W. Fulbright of Arkansas, Chairman of the Foreign Relations Committee. He is reportedly to have suggested to Under Secretary of State Elliot L. Richardson that the Administration intervene.

Mr. Richardson cabled instructions to Mr. Bunker on Dec. 23—the date was erroneously reported in The Times today as Dec. 22—to raise the Chau case with President Thieu and inform him of the Administration's desire to see the charges dropped.

Officials confirmed yesterday that Mr. Richardson followed up the first cable with a second one on Feb. 7, when it developed that Mr. Bunker had conveyed softened expression of American concern to lower ranking South Vietnamese officials.

As a result, Mr. Bunker met Mr. Thieu on Feb. 10, when he was informed that the case was already in the hands of the military court.

Before his audience with Mr. Thieu, Mr. Bunker was relaying assurances to the State Department that even if tried, Mr. Chau would not be imprisoned.

Meanwhile, the Administration continued to maintain silence on the Chau case.

The State Department's spokesman, Robert J. McCloskey said today that he would not comment on any aspect of the case and did not anticipate that comment would be forthcoming.

In Key Biscayne, Fla., where President Nixon is spending the Easter holiday, the White House press secretary, Ronald O. Ziegler said that there "is no displeasure on the part of the President whatsoever in relation to Ambassador Bunker's handling of his post in Saigon."

BUNKER-STATE DEPARTMENT SPLIT ON CHAU
REPORTED BY COLUMNIST

Serious differences existed between Ellsworth Bunker, the United States Ambassador to South Vietnam and the State Department over the handling of the case of Tran Ngoc Chau, the opposition deputy sentenced to 10 years' imprisonment, according to the Newsday columnist Flora Lewis.

In her syndicated column yesterday, Miss Lewis wrote that Ambassador Bunker had proposed making a public statement that no American ambassador had ever been involved in Mr. Chau's eight meetings with his brother Tran Ngoc Hien, a North Vietnamese intelligence officer, although Ambassador Bunker knew this is to be untrue.

But, according to Miss Lewis, the State Department ordered Ambassador Bunker not to make such a statement because it conflicted with secret testimony given by John Vann, chief of United States pacification efforts in the Mekong Delta, at a hearing of the Senate Foreign Relations Committee last month.

"That was a diplomatic way of saying the department knew Bunker's proposed comment was untrue and was aware that Bunker also knew it was untrue," Miss Lewis wrote.

Ambassador Bunker was himself present at a meeting in September, 1967, when Mr. Chau briefed high American officials on his knowledge of enemy plans for the forthcoming Tet offensive. Miss Lewis wrote that Mr. Chau had learned of these plans from the meeting with his brother.

Although Mr. Chau did not have precise information on the timing and place of the impending attacks, Miss Lewis reported, some top American officers believe that his advice was instrumental in preventing Gen. William C. Westmoreland, then United States commander in Vietnam, from transferring more troops to outlying regions and exposing Saigon to disaster. The offensive began at the end of January 1968.

Miss Lewis wrote that Ambassador Bunker, in suggesting that contacts with Mr. Chau be denied, was acting to protect President Nguyen Van Thieu of South Vietnam.

"Bunker, 75, is a traditional type of New England Yankee with a record of high personal integrity," she wrote. "However, it was he who picked Thieu as America's favorite candidate for the presidency and, in effect, created the Thieu government. He is deeply committed to its maintenance in power."

WILL THIEU BE THE NEXT "DOMINO" TO FALL?

Sixteen years ago, the U.S. government set out to "save" Indochina (embracing Laos, Vietnam, and Cambodia) for "democracy." Today, Laos is being overrun by the Communists; Vietnam is under the thumb of militarists; and in Cambodia a right-wing coup has just toppled the neutralist leader, Prince Sihanouk.

So after hundreds of thousands of American casualties, and the expenditure of more than \$100 billion, all that the United States has to show for its vast effort in Southeast Asia is the dominance of one form or another of authoritarianism. There is hardly a glimmer of real democracy in the whole area that was Indochina.

With Sihanouk out, and Souvanna Phouma (our man in Laos) hanging by a thread, what will happen to our other man in Saigon, President Nguyen Van Thieu? Will he be the next domino to fall? That possibility is what makes Washington so uneasy, for the whole policy of "Vietnamization" rests on the viability of the fragile Thieu government.

Sihanouk himself has no illusions about his next-door neighbors. He has always said Vietnamization would not work. "The day the Americans left," he says, "the Saigon army would dissolve, because it is composed only of mercenaries—very well equipped, to be sure, but paralyzed by the lack of an ideal."

Moreover, the prince predicts, once the United States leaves, the population of South Vietnam would vote "massively" for the Viet Cong. He says old Saigon friends of his, including "big business men and Catholics," have told him they, too, would vote for the Viet Cong, if there were elections.

Three U.S. presidents, Eisenhower, Kennedy and Johnson, tried in vain to force reforms on the Saigon generals, in the hope of establishing a sound, democratic government capable of sustaining itself politically and militarily.

Nixon has fared no better. Thieu jails his opposition, shuts down the press, ousts a civilian as premier and installs a general in his place, tolerates corruption and arrests peace advocates.

This is the situation that has inspired Senators Alan Cranston, D-Calif., Thomas Eagleton, D-Mo., and Harold Hughes, D-Iowa, to introduce a new sense-of-the-Senate resolution calling for the prompt withdrawal of U.S. troops if the "Saigon generals do not immediately reform their government."

Vietnamization, says Cranston, "as now practiced will not end the war. It will keep the fighting going. More killing, more bloodshed, more sorrow, and for what? For a corrupt government which makes war on its own people." The Cranston-Eagleton-Hughes resolution is picking up support, for doubts about the Thieu government are not confined to the Democrats.

"Vietnamization," say Senator Charles Goodell, R-N.Y., "has been a great public relations success, but it is not a true policy of disengagement. We have not Vietnamized the war. We have cosmetized it."

Senator George McGovern D-S.D., puts it this way: "Vietnamization is an effort to tranquilize the conscience of the American people while our government wages a cruel and needless war by proxy."

Senator Edmund Muskie of Maine, who is emerging as the Democrat's leading contender for the White House, voices a concern that is widely shared in Congress. "Given the prospect of our indefinite stay in Vietnam," he says, "Saigon has no incentive to improve militarily or to bargain away its own power at the peace table."

The sharpest criticism of Thieu has come not from the U.S. Senate but the South Vietnamese one. When Thieu railroaded a legislator, Tran Ngoc Chau, to prison earlier this month, Senator Phan Nam Sach, chairman of the Judiciary Committee, said, "President Thieu has torn up the Constitution."

Thieu however, brushed this aside, as he has the feeble, pro forma protests that the United States makes from time to time to keep up public appearances. Thieu knows that Nixon cannot abandon him without admitting Vietnamization is a failure. The best thing about the Cranston-Eagleton-Hughes resolution is that it offers Nixon a way out of this dilemma.

ARBITRARINESS IN SAIGON

The Saigon Government has taken a tardy first step toward reversing a dangerously arbitrary action with its decision to order a

new trial for a neutralist legislator summarily convicted by a military court last week on charges of pro-Communist activity and then roughly seized in his sanctuary in the National Assembly. But it remains highly doubtful whether opposition leader Tran Ngoc Chau should ever have been brought to trial in the first place.

The House petition which the Thieu regime engineered to justify its violation of Mr. Chau's legislative immunity is of questionable legitimacy. Mr. Chau avers that members were bribed and threatened to persuade them to sign the document. Others have held that the Constitution requires an actual vote in the House to lift the immunity of members from prosecution.

Furthermore, the charges against Mr. Chau are based on contacts with a brother—since convicted as a Communist agent—which were carried out with the knowledge and approval of senior American officials in South Vietnam. John Paul Vann, chief of the United States pacification effort in the Mekong Delta, told the Senate Foreign Relations Committee recently that Mr. Chau had reported to him on these contacts. Mr. Vann also told the committee that Mr. Chau was definitely not a Communist but rather a very dedicated nationalist.

In the light of this testimony it is inconceivable that Mr. Chau could be convicted of subversion because of his relations with his brother. It is disgraceful that senior American officials in Saigon have failed to intervene in the lawmaker's behalf, reportedly on the basis of orders not to do so.

The Chau case is only the latest in a long series of persecutions and harassments directed at South Vietnamese who, like Mr. Chau, have espoused the kind of compromise solution to the war to which the Governments of South Vietnam and the United States ostensibly are committed.

The perpetuation of this repressive policy by Saigon, with the acquiescence of Washington, undermines the credibility of both Governments. It subverts the Nixon Administration's professed objective of achieving peace under a regime that is representative of all of the South Vietnamese people.

In the case against Tran Ngoc Chau it is really Saigon and Washington that are on trial. The charges against Mr. Chau should be dropped forthwith.

[From the Washington Post, Mar. 26, 1970]
U.S. SILENT ON BUNKER'S ROLE IN VIETNAMESE SPY CASE

(By Murrey Marder)

The State Department refused yesterday to discuss reports that Ellsworth Bunker, ambassador to Saigon, frustrated American intervention in South Vietnam's Tran Ngoc Chau case.

Chau, once a favorite of U.S. officials in Vietnam, was sentenced to 10 years in prison earlier this month for pro-Communist activity.

His prosecution is regarded by many U.S. sources as a calculated warning to South Vietnamese against private contacts with Americans, and a warning to those who favor broadening the Saigon government in order to seek a compromise settlement of the war.

What is really at issue, these sources contend, is Saigon's determination to gain veto power over any war settlement.

Apparent support for these suspicions came in another set of spy charges in Saigon last week. South Vietnamese police displayed a photo showing an alleged spy, Bui Van Sac, talking to an American official identified as Harold Colebaugh, former political officer at the U.S. Embassy.

DEFENDANT'S STORY

In the first case, against Chau, the defendant claimed at his military trial that he kept U.S. officials informed of his con-

tacts with his brother, a confessed North Vietnamese secret agent.

Several U.S. sources have confirmed these contacts, including John Paul Vann now a senior pacification official in Vietnam. Vann testified in closed session before the Senate Foreign Relations Committee last month about his association with Chau.

The American Embassy, to the private chagrin of many of Chau's American friends, remained publicly silent about the Chau case, however. Chau bitterly protested that he was being sacrificed by the U.S. government to avoid offending South Vietnamese President Nguyen Van Thieu, who was determined to convict him.

In the subsequent spy case involving Bui Van Sac, however, the U.S. Embassy evidently regarded the implications about American contacts to be so blatant that embassy officials felt compelled to speak out.

In defense of Colebaugh's contacts with Sac, the embassy said last Sunday that Colebaugh and other U.S. officials had met with Sac "in connection with carrying out their official responsibilities."

BUNKER ACCUSED

Ambassador Bunker, in a published report yesterday, was charged with "misinforming" Washington about the Chau case. Flora Lewis, columnist for Newsday, reported that Bunker, one of President Thieu's strongest supporters, had planned to issue a statement intended to disassociate the American Embassy from Chau.

Bunker, Miss Lewis reported, planned to say publicly that "no American ambassador directly or through any intermediary suggested or encouraged Mr. Chau to initiate or continue his contacts with Capt. Hien" (Capt. Tran Ngoc Hien, the Hanoi agent and Chau's brother).

The State Department, Miss Lewis reported, advised Bunker not to issue the statement because it would conflict with testimony given by Vann at the Senate Foreign Relations Committee hearing.

Other sources said yesterday that the Bunker statement was carefully phrased to be technically accurate, but it would have exposed the Nixon administration to questioning of its credibility.

These sources said no one had claimed, as the Bunker statement denied, that an "American ambassador" had "suggested or initiated" Chau's contacts with Hien. Chau instead was said to have kept officials informed of the contacts and was also credited with helping alert U.S. officials to a Communist threat to Saigon, which later turned out to be the Tet offensive of early 1968.

State Department press officer Carl E. Bartsch said yesterday, "I will have no comment on that matter," declining to discuss the Chau case, the Lewis report or any other aspect of the affair.

President Nixon was asked about the Chau case on Saturday during his impromptu news conference. He replied that "this was a matter which Ambassador Bunker has discussed with President Thieu" but it "would not be appropriate" to say anything further.

SAIGON'S RANGERS AGAIN ATTACK FOE INSIDE CAMBODIA—TROOPS REPORTED IN ATTEMPT TO TRAP VIETCONG FORCE AT FOREST SANCTUARY—FIGHTING CALLED HEAVY—AMERICAN COPTERS SUPPORT EFFORT ALONG BORDER BUT STAY IN SOUTH VIETNAM

(By Terence Smith)

CHAUDOC, SOUTH VIETNAM.—South Vietnamese Rangers crossed the border into Cambodia for the second consecutive day today in an effort to trap a Vietcong force estimated at two battalions.

Despite official denials by the South Vietnamese in Saigon, reliable sources here, including officers involved in the operation, confirmed that South Vietnamese troops and

armored personnel carriers again penetrated Cambodian territory today and engaged enemy soldiers on the edge of the Paknam Forest, a well-known Vietcong sanctuary just across the border.

The sources also said the operation was being conducted with the active cooperation of the Cambodian Army. They said two battalions of Cambodian troops had been deployed as a blocking force to prevent the Vietcong from escaping to the north, but had so far not been involved in the fighting.

HEAVY FIGHTING REPORTED

In today's action, a column of South Vietnamese armored personnel carriers pushed to a point one-and-a-quarter miles north of the border and 2 miles east of the Bassac River before turning south in an attempt to trap the Vietcong. Heavy fighting was reported, but no casualty figures were immediately available.

The operation is scheduled to continue for several more days, although officers involved in the planning said it might be terminated before then if contact with the enemy was lost or if diplomatic complications became too great.

It is apparently fear of embarrassing the new Government in Phnompenh that prompted the official denials in Saigon today.

A South Vietnamese Army spokesman at the regular evening briefing told newsmen that the fighting with the Vietcong had occurred "a few hundred meters" inside South Vietnam. Earlier in the day the spokesman had said that the enemy had been encountered three miles short of the border with Cambodia.

Both statements are technically correct. The operation is being conducted on both sides of the border and contact has been made with enemy units in South Vietnam as well as Cambodia. But the spokesman denied that any action had occurred on the Cambodian side.

U.S. DECEPTION IN SAIGON

(By Flora Lewis)

(EDITOR.—Flora Lewis reports exclusively that U.S. Ambassador to Saigon Ellsworth Bunker misinformed Washington about developments surrounding the arrest of a South Vietnamese lawmaker. She explains its considerable significance to U.S. relations with the Thieu government.)

NEW YORK.—A recent series of cables between the State Department and U.S. Ambassador Ellsworth Bunker in Saigon indicates that Bunker is, to say the least, misinforming Washington and that Washington knows it.

The situation has come to a head over the case of Tran Ngoc Chau, a Vietnamese assemblyman who was tried and sentenced to 10 years at hard labor on a charge of being in touch with a Hanoi agent. Chau testified at his trial that the contacts were made with the knowledge and backing of the U.S. Embassy. But the U.S. has never commented publicly, one way or the other.

The Chau case is of the greatest importance because its implications are central to U.S. relations to the government of President Thieu, and to the question of whether or not Thieu has the power to veto any efforts to negotiate a Vietnam settlement with Hanoi. It reflects Thieu's efforts to manipulate the U.S. and his own people into a box, without challenge from the U.S. ambassador.

The cables show that Bunker proposed to make a public statement after Chau, whose trial Washington asked him to prevent, had been convicted. Bunker told State that Chau's testimony was "false and misleading" and that he planned to say publicly that "No American Ambassador directly or through any intermediary suggested or encouraged Mr. Chau to initiate or continue his con-

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tacts with Capt. Hien." (Capt. Tran Ngoc Hien, the Hanoi agent, is Chau's brother. He was arrested last April and is now jailed in Saigon.)

The Department told Bunker not to say anything of the sort because it was "in conflict" with testimony given to a secret hearing of the Senate Foreign Relations Committee last month by John Vann, top U.S. civilian official in the Mekong Delta region, and thus would provoke awkward questions.

That was a diplomatic way of saying the Department knew Bunker's proposed comment was untrue, and was aware that Bunker also knew it was untrue.

Bunker wanted to include in his statement that Chau "on several occasions in conversations with American officials associated with him in the pacification program made veiled references to an important political cadre from Hanoi with whom he was in contact."

But Vann testified to the Senate committee that he received detailed descriptions from Chau of his brother and their relationship and how the Americans might contact Capt. Hien directly, if they chose. That was at a meeting in July, 1966.

Vann sought to arrange a meeting between Hien and then U.S. Ambassadors Lodge or Porter. But Lodge finally decided against it and authorized Vann to talk to the agent. That talk never took place because Hien answered Vann's request, sent through Chau, that he would see the men at the top, or no American official at all.

Vann's testimony made clear that Chau acted with the encouragement and backing of the U.S.

The record also shows that Chau played an important role in what became U.S. strategy before the 1968 Tet offensive, which may have prevented the fall of Saigon and a communist victory at that time.

Chau gave a long briefing on his understanding of coming events of Ambassadors Bunker and Samuel Berger, Lt. Gen. Frederick C. Weyand, Vann and others in September, 1967. Bunker does not deny this session.

Chau had learned from his brother that the Vietcong planned big attacks on populated areas, although he did not have precise information about the timing and place of the Tet offensive. Nonetheless, on the basis of his knowledge of the situation, he urged the U.S. to strengthen defenses of those areas instead of shifting most of its forces out to border regions.

Chau's combination of information and reasoning convinced Van and Gen. Weyand, the commander of the III Corps area which includes Saigon. Weyand then urged the strategy on Gen. Westmoreland, then U.S. commander in South Vietnam.

That was in November, 1967. Westmoreland, who in that period announced that the war was nearly won, had issued orders to move the great bulk of U.S. forces in III Corps to the border provinces in pursuit of what he believed was a disintegrating enemy. The shift was to take place by January 1, 1968.

Weyand argued intensely against that strategy and finally won from Westmoreland a compromise delaying the movement for 6 months. At that time, the enemy was provoking battles near the border, notably at Dak Tho and Loc Minh, which with hindsight can be seen as an effort to draw U.S. troops away from the capital in preparation for the Tet attacks. The big Tet offensive came at the end of January.

Some top Americans who were in Vietnam at that time are convinced that if Westmoreland's orders had not been challenged, the big airports at Saigon and nearby Bien Hoa could have been overrun, preventing reinforcements and thus possibly leading to the loss of the Vietnamese capital.

President Thieu's government, in the

course of the prosecution of Chau, has issued statements that it was unaware of Chau's connection with the Americans. (Vann testified to the contrary.)

Another official statement was made on Feb. 22, the day before attempts began to arrest Chau. It charged that the U.S. was in collusion with the Vietcong at the time of the Tet offensive and deliberately removed the South Vietnamese army's ammunition to weaken its defenses at the time of the attack.

American Vietnam experts interpreted this as a warning from Thieu to the Embassy against supporting Chau, lest it give some credence to this outrageous lie. The statement was made by Thieu's special assistant Nguyen Van Thang, whose position with Thieu is often compared to Henry Kissinger's role in the Nixon administration. The charge was repeated by prosecutor and judge in the public trial.

Bunker asked Thieu about it, reporting to Washington, "I said I was frankly amazed. Everybody knows about Chau's efforts to involve the U.S. in this case. How the court seems to have fallen in the same trap." He accepted Thieu's bland denial of any involvement.

In the period before Chau's trial, Bunker kept relaying without comment South Vietnamese assurances that Chau would not be prosecuted, although the preparations for his arrest were public knowledge. Bunker repeatedly told Washington, which asked him to head off the trial, that everything was being done according to due process and in strict legality. At the same time, however, his Embassy was reporting that Thieu's agents were bribing many deputies to remove Chau's parliamentary immunity and secretly organizing and paying for demonstrations against Chau.

Bunker, whose cables are read by top officials, took no note of these embassy reports which often contained a contradictory version of the facts to the State Department.

The case has caused immense concern among American officials below the top level in both Saigon and Washington, partly because they know and respect Chau and feel the U.S. has betrayed his trust, partly because they think Thieu's intricate maneuvering in this case has put him in a position to block any real efforts to negotiate a peace.

The U.S. still has issued no formal comment on the case, nor permitted release of Vann's testimony, presumably because it would be too embarrassing to appear to confirm Thieu's back-handed charges that the U.S. had secret dealings with the communists, and that they affected defenses during Tet.

Vann also testified that, despite Thieu's disclaimers, the South Vietnamese government was informed about Chau and the whole affair in July, 1969. Vann himself told South Vietnamese Prime Minister Khlem about it at that time, on the authorization of his superiors in the U.S. establishment in Saigon.

Bunker's cables ignore all this and protest instead at Chau being represented in the U.S. press as a "patriotic nationalist." He told the State Department that Chau had called for a coalition government, which is a crime in South Vietnam although President Nixon has said he would not oppose such a government.

The record shows, however, that Chau has publicly opposed admitting communists in the government, though he favors negotiations, a cease-fire, and the communists' right to participate in elected bodies such as the National Assembly.

Bunker, 75, is a traditional type of New England Yankee with a record of high personal integrity. However, it was he who picked Thieu as America's favorite candi-

date for presidency and, in effect, created the Thieu government. He is deeply committed to its maintenance in power.

The upshot of all this pettiggogery has been, as one Saigon Embassy cable reported, to "defame the U.S."

It also indicates that Thieu is working to prevent the U.S. as well as any South Vietnamese from being able to negotiate a settlement to the war, which Nixon has said is the first aim of his Vietnam policy. So far, Thieu is getting away with it and Bunker is justifying him to Washington.

SUSPENSION OF FURTHER DEPLOYMENT OF OFFENSIVE AND DEFENSIVE NUCLEAR STRATEGIC WEAPONS SYSTEMS

The PRESIDING OFFICER (Mr. HOLLINGS). The Chair lays before the Senate the unfinished business, which the clerk will state.

The BILL CLERK. A resolution (S. Res. 211) seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I wish to say a few words in a somewhat preliminary nature with regard to Senate Resolution 211. As my colleagues know, the resolution now before us is the outgrowth of a resolution introduced last summer with more than 40 cosponsors. The Committee on Foreign Relations considered it, amended it primarily by an amendment offered by the Senator from Kentucky (Mr. COOPER), who had taken a great interest in this matter last year before the committee, and we have now reported a resolution which I think is of the greatest importance.

Reporting to the Congress and the American people on "U.S. Foreign Policy for the 1970's," President Nixon said:

Both the Soviet Union and the United States have acquired the ability to inflict unacceptable damage on the other, no matter which strikes first. There can be no gain and certainly no victory for the power that provokes a thermonuclear exchange. Thus, both sides have recognized a vital mutual interest in halting the dangerous momentum of the nuclear arms race.

Senate Resolution 211, which is the pending business before the Senate, is addressed to that "vital mutual interest."

Why is there a nuclear arms race? Why do we and the Soviet Union continue to develop, improve, and deploy weapons of mass destruction which if used would destroy us both? We do so because of the threat that we believe Soviet nuclear weapons represent to us, and they do so because of the threat they perceive from our nuclear arsenal. Thus each new refinement by either of us—in the accuracy or method of delivery or effect of nuclear weapons—

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requires the other to react. We are both caught in a costly and dangerous competition in which neither of us thinks we can afford to drop behind. The purpose of Senate Resolution 211 is to suggest that we simply freeze this competition where it now stands for an interim period.

The resolution which is now the pending business expresses the sense of the Senate that the President of the United States should propose to the Government of the Soviet Union an immediate suspension by both the United States and the Soviet Union of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate. The United States has never before made such an offer. In 1964, we came close to making such a proposal when we suggested at Geneva that "the United States, the Soviet Union, and their respective allies should agree to explore a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles." But a proposal to "agree to explore" a halt is not a proposal to halt. And when we made that proposal in 1964, we were far ahead of the Soviet Union in strategic nuclear weapons so that the chances for agreement were small.

Today, on the other hand, it is generally agreed, I believe, that there is what I call rough parity between the Soviet Union and the United States as far as strategic nuclear weapons are concerned. Both countries appear to have a sufficiency. Yet both are on the verge of deploying new or additional strategic weapons systems designed to move them ahead in the competition in nuclear arms. Thus, neither will be more secure but, in fact, less secure. For it should be obvious that the existence of more nuclear weapons—designed to provide greater explosive force, to perform more accurately, and to have an improved capability for providing instant retaliation—must logically mean a more and more dangerous world. Yet both the United States and the Soviet Union continue to develop and perfect such weapons, unable, it seems, to reach agreements which would permit this deadly competition to be halted.

The situation today seems to pose some possibility for sanity to prevail over suspicion and for reason to triumph over fear. The rough nuclear parity that exists has made it possible for the two major nuclear powers at least to begin talks which might produce some arms limitation agreements. Neither of us will accept the demands of the other dictated from a position of superiority, or agree to compromise from a position of inferiority; but, finding ourselves on a generally equal basis, it might be possible for us to reach agreements that would maintain the present balance.

It follows that such agreements can be reached only as long as rough parity is maintained. The purpose of Senate Resolution 211 is to freeze the United States and the Soviet Union in a condition of parity for an interim period so that meaningful and lasting arms limitation

agreements can be worked out in the talks that are about to begin in Vienna. If the condition of parity is not stabilized long enough for such negotiations, the talks will have to proceed against the background of a continuous shift in the comparative strength of the two negotiating parties. In such a situation, agreement would be all the more difficult if not impossible. The purpose of Senate Resolution 211 is to provide the negotiators in Vienna—both American and Soviet—with a chance to negotiate on firm ground instead of on shifting sand.

I should add that from the point of view of verification an interim and comprehensive agreement covering the further deployment of all strategic nuclear offensive and defensive weapons systems is easier to verify, and more difficult to evade, than a long-term agreement or an agreement limited to a particular weapons system. Multiple warheads pose a special problem. Their tests must be monitored to insure that they are not deployed clandestinely. The Committee on Foreign Relations has this consideration clearly in mind when it included in Senate Resolution 211 a clause calling for verification and inspection as appropriate. The committee report noted that the further deployment of multiple independently targetable reentry vehicles could most effectively be suspended by stopping further flight tests, as these tests are subject to national verification.

But a ban on further deployment of all strategic offensive and defensive nuclear weapons systems would prohibit far more than the deployment of multiple independently targetable reentry vehicles. The freeze on further deployment is not a proposal for a unilateral halt by the United States. It would also freeze the further deployment of Soviet SS-9's and SS-11's and of Soviet ABM systems.

Twenty-five years ago, the United States was not only the most powerful country of the world militarily, but we were also an invulnerable country. We had, after all, a monopoly on nuclear weapons. By 1949, the Soviets had broken that monopoly. By 1953, we both had the hydrogen bomb. In the 1950's and 1960's ICBM's, ready for instant firing, were deployed by both countries. Power no longer meant invulnerability and does not today. And we are now about to enter still another round in the arms race which will begin in June with the deployment of independently targetable multiple warheads on intercontinental missiles, a development which will lead inexorably to the further deployment of ABM systems designed to protect deterrent forces against these multiple warheads. Senate Resolution 211 would avoid the beginning of this new round.

Senate Resolution 211 cannot be criticized on the ground that it increases our vulnerability, for it does not provide the Soviet Union with an advantage. It can not be attacked as an idealistic or impractical suggestion, for indeed the President has said that its purpose is consistent with the objectives he seeks. It cannot be dismissed as a gesture of partisan politics, for it has both Republicans and Democrats as sponsors. It cannot be impugned as an attempt by

the legislative branch to usurp the functions of the executive branch, for it merely offers the President advice which he is free to accept or reject.

But should the Senate pass this advisory resolution, and should the President accept the advice, the first step might be taken toward an arms limitation agreement which would move the United States and the Soviet Union from an era of confrontation to an era of negotiation.

Mr. President, enough is enough. We and the Russians have between us not only a sufficiency of weapons to defend ourselves, but a sufficiency to destroy each other. In fact, our sufficiency is even greater. It is great enough to destroy most life on this earth.

We or the Russians must come to our senses and stop this mad race toward extinction. I hope that we in America will come to our senses first.

I believe the essence of the resolution before us is that a few Members, led by Senator BROOKE and Senator COOPER, have grasped the idea that we must come to our senses and seize the last clear chance before we are caught up in the next round in the arms race.

I wish again to pay my respects to and to commend the Senators who have taken the initiative in developing this Senate resolution, and I hope that the Senate will give it its approval.

Mr. AIKEN. Mr. President, Senate Resolution 211 has been under consideration in the Committee on Foreign Relations since it was introduced on June 17, 1969. We have given it very thoughtful consideration, and the resolution now pending for action before us represents the final decision of the committee. As I recall, there was no objection within the Foreign Relations Committee to reporting the resolution.

This resolution is not intended to run counter to the efforts of the executive branch of the Government, but to supplement them and back the administration up in the SALT talks, as they are called, which will be renewed on April 11 of this year in Vienna.

The resolution represents an effort to persuade Russia to seriously consider the freezing of warmaking instruments and warmaking systems at the present levels. It does not propose disarmament in any way, as our chairman has just stated. No unilateral disarmament is proposed for either country. And, I reiterate, it does not run counter to the efforts of the executive department.

An arms control freeze may not be effective. In fact, it may be hoping too much to expect that suddenly, Russia and the rest of the world would agree to a freeze on armaments and live in a world at peace. But the resolution does represent assurance that the U.S. Senate favors a strong effort to promote a peaceful world. The effort should be worthwhile, and I am glad to join with the chairman of our committee in supporting this resolution, in the hope that it will contribute something to the desire for peace throughout the world and particularly with the nations of the world which now have the means for nuclear instru-